

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 08 2022

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern Region

Name of Applicant(s) Double Check Ranch LLC Phone 208.303.0904
 Mailing address PO Box 24, Leadore, ID 83464 Email kppharis10@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

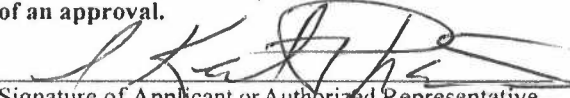
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
 Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
 OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
 OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

Alan Kent Pharis - Manager
 Print Name and Title if applicable

9-6-22
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other Update ownership
- Is this a transfer for changes pursuant to Idaho Code §42-221.O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Change Milk Cr POD location for split portion of right 74-380B. No other PODs will change.
Create combined POU for all 6 rights. Change stockwater POU & remove domestic use from 74-10146.
Update ownership of right 74-10146 and split portions of rights 74-380B and 74-381B.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	74-50A	2.75 cfs	Irrigation	3/15 to 11/15	Little Timber Cr / Big Timber Cr
☒ ☐	74-380A	0.20 cfs	Irrigation	3/15 to 11/15	Milk Cr / Sinks
☒ ☐	74-381A	0.15 cfs	Irrigation	3/15 to 11/15	Spring / Milk Cr
☐ ☒	74-380B	0.09 cfs	Irrigation	3/15 to 11/15	Milk Cr / Sinks
☐ ☒	74-381B	0.07 cfs	Irrigation	3/15 to 11/15	Spring / Adams Cr
☒ ☐	74-10146	0.40 cfs	Irrigation	3/15 to 11/15	Adams Cr / Sinks
☐ ☐		0.03 cfs	Stockwater	1/1 to 12/31	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.32 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.78 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			SW	NW	24	15N	25E	Lemhi	Little Timber Creek	
N			NE	NE	22	15N	25E	Lemhi	Milk Creek	
N		SE	NE	NE	22	15N	25E	Lemhi	Spring / Milk Cr	
N			NW	SW	15	15N	25E	Lemhi	Adams Cr	
N		SW	NW	NE	15	15N	25E	Lemhi	Spring / Adams Cr	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																34	34
15N	25E	11									32	31	39	31					133
15N	25E	15	S																
Total Acres (for irrigation use)																			167

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Ditches to bubbler to mainline to pivot and some flood irrigation

- b. Who owns the property at the point(s) of diversion? Whittaker Two Dot Land LLC; Mark Ullsh

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

Points of diversion are historic ditches. POD for changed portion of 74-380B to be moved to another location on Milk Creek. Right 74-380A is already delivered at that point of diversion.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: FSA mortgage

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Will be dry.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Domestic and stockwater right 74-10147 also used at proposed place of use.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2022

Water Right 74-50A

Owner Type
Current Owner

Name
DOUBLE CHECK RANCH LLC

Priority Date: 11/6/1908

Basis: Decreed

Status: Active

Source
LITTLE TIMBER CREEK

Tributary
BIG TIMBER CREEK

Beneficial Use
IRRIGATION

From 3/15
To 11/15
Total Diversion

Diversion Rate
2.750 CFS
2.750 CFS

Volume

Source and Point(s) of Diversion:

LITTLE TIMBER CREEK SWNW

Sec. 24, Twp 15N, Rge 25E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																38.0	38.0
15N	25E	11									40.0		40.0	40.0					120.0

POU Total Acres: 158.0

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-380A AND 74-381A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2022

Water Right 74-380A

Owner Type
 Current Owner

Name
 DOUBLE CHECK RANCH LLC

Priority Date: 11/6/1908

Basis: Decreed

Status: Active

Source
 MILK CREEK

Tributary
 SINKS

Beneficial Use
 IRRIGATION

From
 3/15

To
 11/15

Diversion Rate
 0.200 CFS

Volume

Total Diversion 0.200 CFS

Source and Point(s) of Diversion:

MILK CREEK

NENE

Sec. 22, Twp 15N, Rge 25E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																38.0	38.0
15N	25E	11									40.0		40.0	40.0					120.0

POU Total Acres: 158.0

Conditions of Approval:

1. 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-50A AND 74-381A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2022

Water Right 74-381A

Owner Type

Current Owner

Name

DOUBLE CHECK RANCH LLC

Priority Date: 11/6/1908

Basis: Decreed

Status: Active

Source

SPRING

Tributary

MILK CREEK

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

0.150 CFS

Volume

Total Diversion

0.150 CFS

Source and Point(s) of Diversion:

SPRING

SENE

Sec. 22, Twp 15N, Rge 25E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																38.0	38.0
15N	25E	11									40.0		40.0	40.0					120.0

POU Total Acres: 158.0

Conditions of Approval:

1. 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.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 74-380A AND 74-50A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2022

Water Right 74-380B

Owner Type

Current Owner
Current Owner

Name

PAULA J WHITTAKER
F JAMES WHITTAKER

Priority Date: 11/6/1908

Basis: Decreed

Status: Active

Source

MILK CREEK

Tributary

SINKS

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

0.200 CFS

Volume

Total Diversion

0.200 CFS

Source and Point(s) of Diversion:

MILK CREEK

NWNE

Sec. 15, Twp 15N, Rge 25E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10													15.0				15.0
15N	25E	11							17.0	18.0		40.0							75.0

POU Total Acres: 90.0

Conditions of Approval:

1. 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.
2. E64 This right authorizes the irrigation of 89.5 total acres.

Dates and Other Information:

Decreed Date: 7/9/2007

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: 74

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2022

Water Right 74-381B

Owner Type

Current Owner
Current Owner

Name

PAULA J WHITTAKER
F JAMES WHITTAKER

Priority Date: 11/6/1908

Basis: Decreed

Status: Active

Source

SPRING

Tributary

ADAMS CREEK

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

0.150 CFS

Volume

Total Diversion

0.150 CFS

Source and Point(s) of Diversion:

SPRING

SWNWNE

Sec. 15, Twp 15N, Rge 25E, LEMHI County

Place Of Use:

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10													15.0				15.0
15N	25E	11							17.0	18.0		40.0							75.0

POU Total Acres: 90.0

Conditions of Approval:

1. E64 This right authorizes the irrigation of 89.5 total acres.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates and Other Information:

Decreed Date: 7/9/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 74
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2022

Water Right 74-10146

Owner Type

Current Owner
Current Owner

Name

THOMAS H CARLSON
EVELYN R CARLSON

Priority Date: 3/15/1927

Basis: Decreed

Status: Active

Source

ADAMS CREEK

Tributary

SINKS

Beneficial Use

IRRIGATION
STOCKWATER
DOMESTIC

From

03/15
01/01
01/01

To

11/15
12/31
12/31

Diversion Rate

0.400 CFS
0.030 CFS
0.040 CFS
Total Diversion 0.400 CFS

Volume

Source and Point(s) of Diversion:

ADAMS CREEK

NWSW

Sec. 15, Twp 15N, Rge 25E, LEMHI County

Place Of Use:

DOMESTIC within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																X	

STOCKWATER within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																X	

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	25E	10																38.0	38.0
15N	25E	11									40.0		40.0	40.0					120.0

POU Total Acres: 158.0

Conditions of Approval:

1. E52 The rights listed below are limited to a total combined diversion rate of 3.16 cfs. Combined Right Nos.: 74-50A, 74-380A, 74-381A, and 74-10146.
2. E56 The rights listed below are limited to the irrigation of a combined total of 158 acres in a single irrigation season. Combined Right Nos.: 74-50A, 74-380A, 74-381A, and 74-10146.
3. C18 This partial decree is subject to such general provisions necessary for the

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2022

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. Idaho Code § 42-1412(6).

Dates and Other Information:

Decreed Date: 10/27/2009

Civil Case Number: 39576

Judicial District: FIFTH

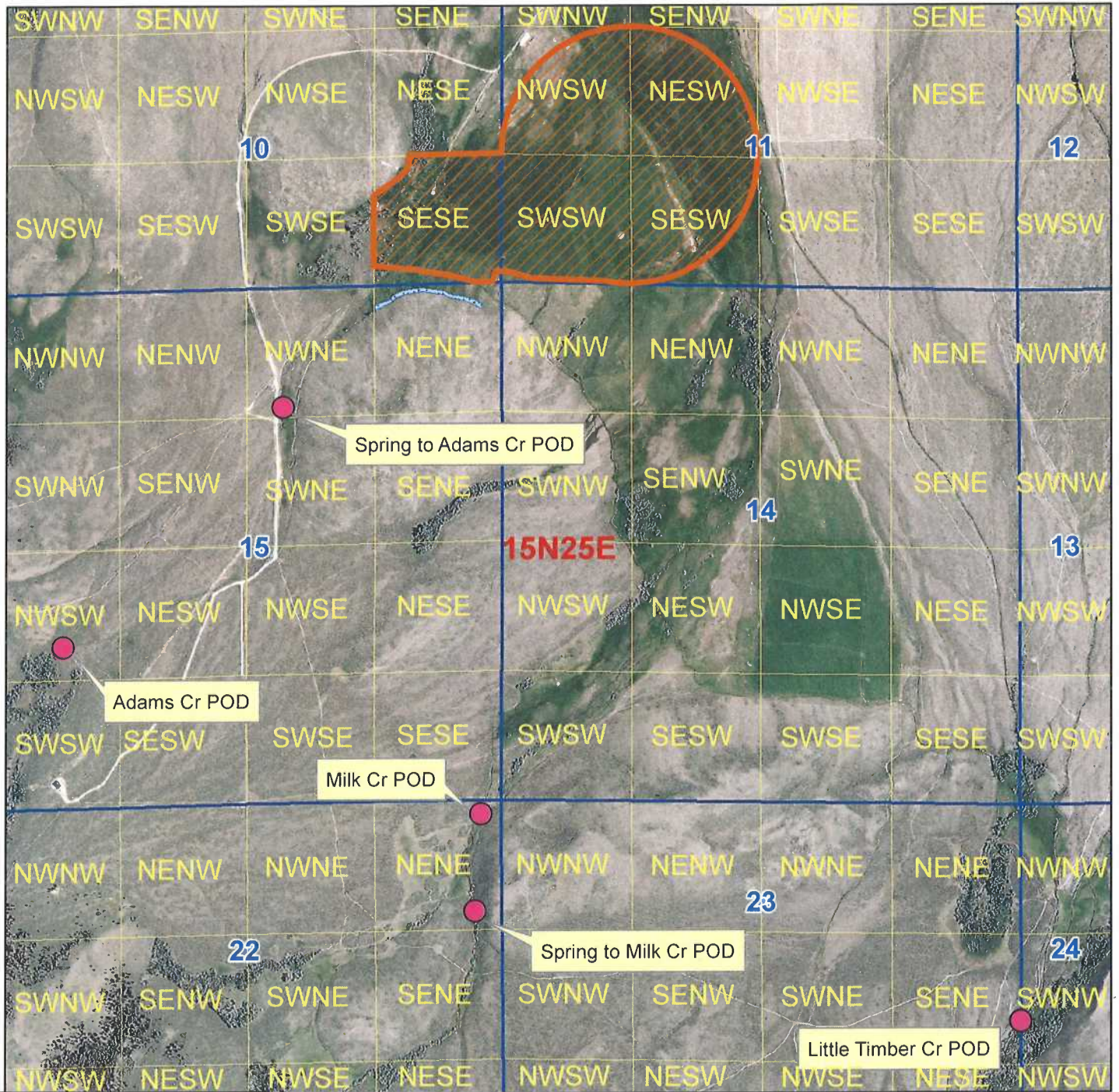
State or Federal: S

Owner Name Connector: AND

Water District Number: 74

Mitigation Plan: False

Double Check Ranch Transfer



Legend

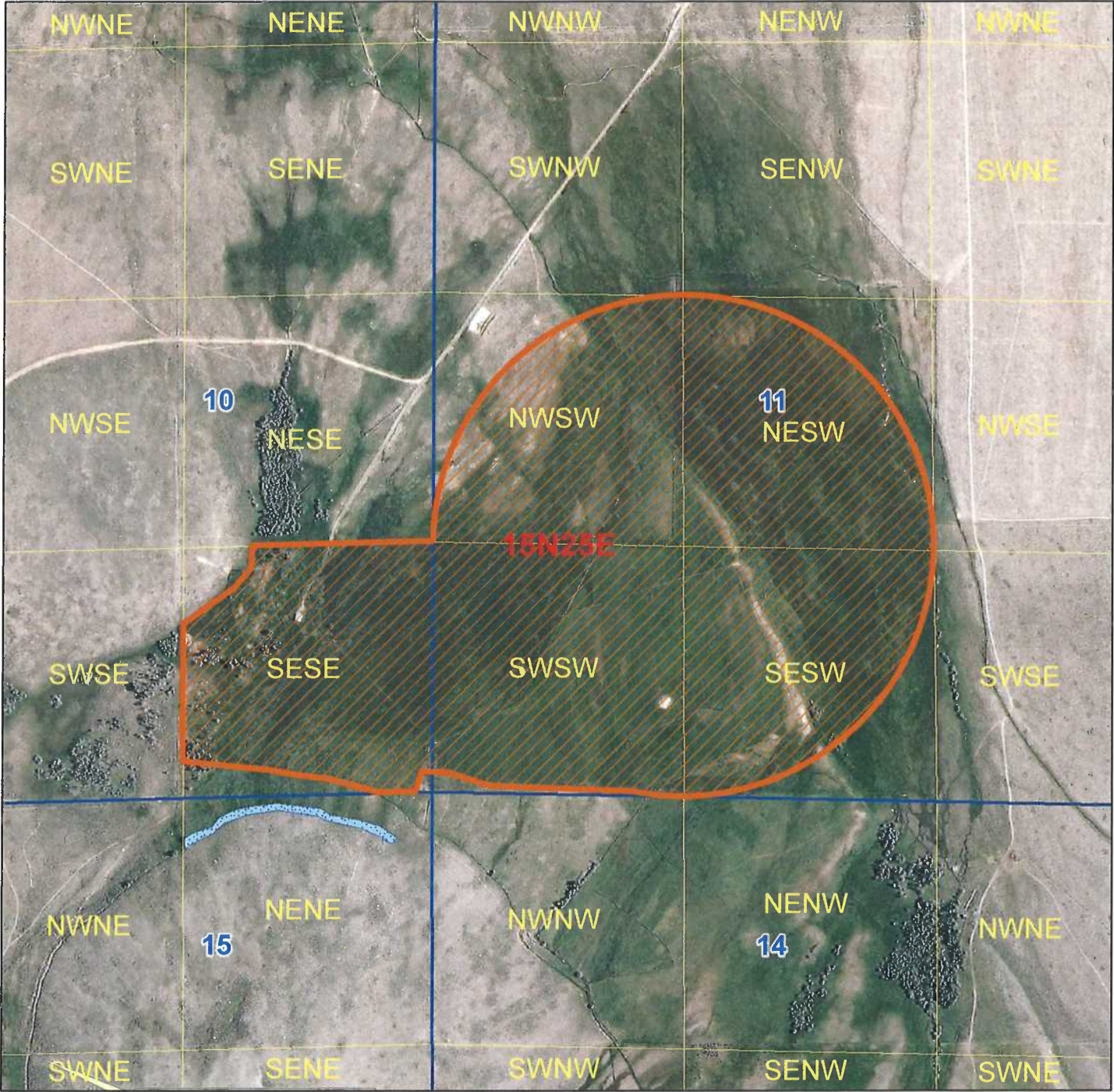
- Proposed POD
- Proposed POU
- Stockwater POU
- Township/Range
- Sections
- QQ

0 1,750 3,500 7,000 Feet



MH

Double Check Ranch Transfer



Legend

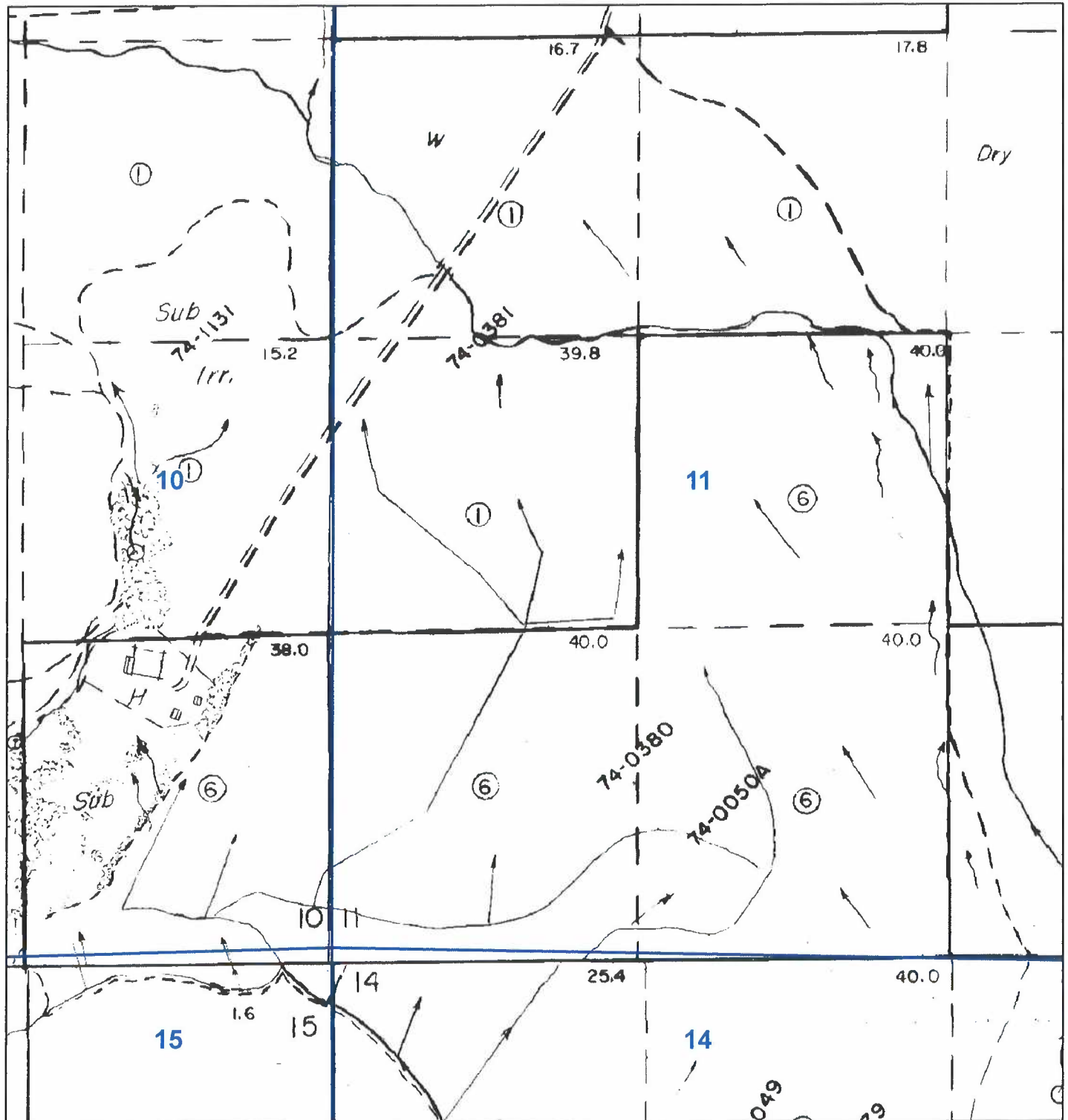
- Proposed POU
- Stockwater POU
- Township/Range
- Sections
- QQ

0 900 1,800 3,600 Feet



MH

Lemhi AJ map



0 700 1,400 2,800 Feet

Legend

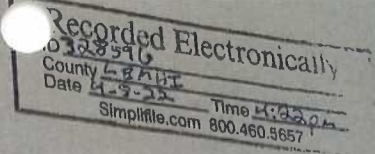
Sections

N



MH

86758



WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:598684

FOR VALUE RECEIVED

Whittaker Land, LLC, an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Double Check Ranch, LLC, an Idaho Limited Liability Company

whose current address is

**P.O. Box 24
Leadore, ID 83464**

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

**The Northwest Quarter of the Southwest Quarter of Section 11 in Township 15
North, Range 25 East, Lemhi County, Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 4, 2022

Whittaker Land, LLC

Floyd James Whittaker
By: Floyd James Whittaker, Manager

State of Idaho } ss
County of Lemhi }

On this 25th day of March, 2022, before me, Sarah Magyar, a Notary Public in and for said state, personally appeared Floyd James Whittaker known or identified to me to be the Managing Member in the Limited Liability Company known as Whittaker Land, LLC, an Idaho Limited Liability Company who executed the foregoing instrument in said LLC name.

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

Sarah Magyar
Sarah Magyar

Notary Public for the State of Idaho

Residing at: Salmon, ID

Commission Expires: 11-09-2027

SARAH MAGYAR
Notary Public - State of Idaho
Commission Number 20215394
My Commission Expires 11-09-2027

Warranty Deed

For Value Received

Thomas H. Carlson, an unmarried man

the grantors, do hereby grant, bargain, sell and convey unto

Double Check Ranch, LLC

Whose current address is:

**4 Delorean Way
Salmon, ID 83467**

the grantee, the following described premises, to-wit:

See Exhibit "A"

Together with all water and water rights, ditch and ditch rights, mineral and mineral rights, and any grazing rights appurtenant thereto and/ or used in connection there with.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

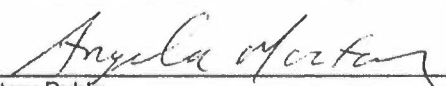
Dated: May 12, 2021



Thomas H. Carlson

STATE OF Idaho)
COUNTY OF Lenhi) ss

On this 12 day of May, 2021, before me, a notary public in and for said State, personally appeared Thomas Carlson known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public
Residing at: _____
Comm. Expires: _____

ANGELA MORTON
Notary Public - State of Idaho
Commission Number 20203462
My Commission Expires 09-08-2026

Exhibit "A"

Parcel 1

SE1/4SE1/4 of Section 10, Township 15 North, Range 25 East, Boise Meridian.

Parcel 2

**S1/2SW1/4 and NE1/4SW1/4 of Section 11, Township 15 North, Range 25 East,
Boise Meridian.**

Parcel 3

NE1/4NE1/4 of Section 15, Township 15 North, Range 25 East, Boise Meridian.



0004223993

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***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 #: 0004223993

Date Filed: 3/31/2021 4:47:01 PM

Entity Name and Mailing Address:											
Entity Name:	DOUBLE CHECK RANCH LLC										
The file number of this entity on the records of the Idaho Secretary of State is:	0003849133										
Address	4 DELOREAN WAY SALMON, ID 83467-5204										
Entity Details:											
Entity Status	Active-Existing										
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:											
The registered agent on record is:											
Registered Agent	Diana Wadsworth Registered Agent Physical Address 291 N BROADWAY ST BLACKFOOT, ID 83221 Mailing Address PO BOX 27 BLACKFOOT, ID 83221-0027										
Agent or Address Change											
☐ Select if you are appointing a new agent.											
Limited Liability Company Managers and Members											
<table border="1"><thead><tr><th>Name</th><th>Title</th><th>Business Address</th></tr></thead><tbody><tr><td>☒ ALAN KENT PHARIS</td><td>Manager</td><td>4 DELOREAN WAY SALMON, ID 83467</td></tr><tr><td>☒ PAULA KAYE PHARIS</td><td>Member</td><td>4 DELOREAN WAY SALMON, ID 83467</td></tr></tbody></table>			Name	Title	Business Address	☒ ALAN KENT PHARIS	Manager	4 DELOREAN WAY SALMON, ID 83467	☒ PAULA KAYE PHARIS	Member	4 DELOREAN WAY SALMON, ID 83467
Name	Title	Business Address									
☒ ALAN KENT PHARIS	Manager	4 DELOREAN WAY SALMON, ID 83467									
☒ PAULA KAYE PHARIS	Member	4 DELOREAN WAY SALMON, ID 83467									
The annual report must be signed by an authorized signer of the entity.											
Job Title: Reporting Agent											
Diana Wadsworth		03/31/2021									
Sign Here		Date									

B0597-1115 03/31/2021 4:47 PM Received by ID Secretary of State Lawrence Denney



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 14, 2022

DOUBLE CHECK RANCH LLC
PO BOX 24
LEADORE, ID 83464-0024

RE: Transfer No. 86758

Water Right No(s). 74-10146, 74-380A, 74-380B, 74-381A, 74-381B, 74-50A

Dear Applicant:

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 RECORDER HERALD on 9/22/2022 and 9/29/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, September 14, 2022 10:29 AM
To: rhlegals@custertel.net
Subject: Legal Notice for Recorder Herald
Attachments: 74-16269, 86758 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT
RECORDER HERALD
PO BOX 310
SALMON, ID 83467

RE: Application for Permit No. 74-16269, Transfer 86758

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 10/10/2022. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

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

74-16269

DOUBLE CHECK RANCH LLC, PO BOX 24, LEADORE, ID 83464-0024

Point of Diversion SWNW S24 T15N R25E LEMHI County

Source LITTLE TIMBER CREEK Tributary BIG TIMBER CREEK

Use: IRRIGATION

03/15 to 11/15

1 CFS

Total Diversion:

1 CFS

Date Filed: 04-25-2022

Place Of Use: IRRIGATION

T15N R25E S10

SESE

Place Of Use: IRRIGATION

T15N R25E S11

NESW,NWSW,SWSW,SESW

Total Acres: 158

This application proposes the diversion and use of water from Little Timber Creek tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 10/10/2022. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 86758

DOUBLE CHECK RANCH LLC, PO BOX 24, LEADORE, ID 83464-0024 has filed Application No. 86758 for changes to the following water rights within LEMHI County(s): Right No(s). 74-10146, 74-380A, 74-380B, 74-381A, 74-381B, 74-50A; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change place of use and change point of diversion for a split portion of right 74-380B. The proposed point of diversion for 0.29 cfs from Milk Creek is in NENE Sec 22 T15N R25E. The points of diversion for the other rights in the transfer will not change. The total diversion rate from springs, Milk Creek, and Adams Creek is 3.32 cfs. The proposed combined place of use for irrigation is in SESE Sec 10 and SW quarter Sec 11 T15N R25E for 167 acres. The proposed place of use for stockwater from Adams Creek is in NENE Sec 15 T15N R25E.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 10/10/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/22/2022 and 9/29/2022