

**No Access Ranch  
Proposed Amended Mitigation Plan  
Water Right 34-7595**

In September 2016, No Access Ranch submitted three transfer applications, aka the Stacey Ranch East transfer, Stacey Ranch West transfer and Idaho Cowboy Ranch transfer, proposing changes to water rights being used to mitigate ground water right 34-7595 and application 34-13789. The applicants have decided to withdraw Application 34-13789. As a result, the Stacey Ranch East transfer application is no longer necessary and is also being withdrawn resulting in modifications to the remaining two transfers, which will now be referred to as Stacey Ranch (SR) and Idaho Cowboy Ranch (ICR) transfers. If approved, the end result will allow the applicant to mitigate ground water permit 34-7594 with Warm Springs Creek (WSC) water rights, which are more reliable than Big Lost River (BLR) water rights. BLR water rights that overlap the WSC proposed mitigation rights have been included for mitigation to prevent unstacking and expansion. To make it easy for regulation, the mitigation rights are proposed for transfer to the ground water place of use. The following is an explanation of the attached mitigation summary table.

**Brief** - All of the WSC and BLR rights listed in the summary table and appurtenant to the SR and ICR are limited to 269.2 acres when combined. This total acre limit involves two groups of rights: one group limited to 116.2 acres and the other limited to 153 acres. The water rights' historical places of use and overlaps have been previously analyzed and submitted to the Department as part of a revised mitigation plan submitted for application 34-13789 and permit 34-7594 on September 23, 2003 and found in IDWR's back-files for application 34-13789. For easy reference, attached are the revised plan's water right distribution/overlap analysis table and maps downloaded from the Department's web site. Since the applicant is withdrawing application 34-13789, surface water mitigation is now only required for ground water irrigation under permit 34-7595 consisting of a 124-acre pivot and 32.2 acre field irrigated with wheel lines (156.2 acres total).

**Mitigation Group 1** (involving 116.2-acre water right group)

**Currently:** The WSC rights are limited to 100.2 acres when combined. The overlapping BLR rights are limited to 109.2 acres when combined. Total irrigation from both sources combined is limited to 116.2 acres.

**Proposed:** Transfer all WSC 100.2 acres to ICR for ground water mitigation with 100.2 acres of overlapping BLR rights, limiting irrigation to 100.2 acres when combined. Transfer extra 16 acres of BLR acres under rights 34-573B and 34-584D to SR. These rights were chosen because they both have the same POU.

**Mitigation Group 2** (involving 153-acre water right group)

**Currently:** WSC right 34-704C allows 25.7 acres irrigation, of which 14.4 acres appear to overlap with BLR right 34-701C.

**Proposed:** Transfer 17.5 acres of WSC right 34-704C and 14.4 overlapping acres of BLR right 34-701C to ICR for ground water mitigation. Transfer the remaining 8.2 acres under WSC right 34-704C to SR.

### **Mitigation Group 3 (involving 153-acre water right group)**

Currently: WSC right 34-703C allows 38.5 acres irrigation, which do not appear to have overlapping BLR water.

Proposed: Transfer all 38.5 acres to ICR for ground water mitigation. Remaining acres and water rights applicable to the 153-acre group transferred to SR.

### **End Result**

1890 WSC water and overlapping BLR water will mitigate 108.5 ground water acres.

1905 WSC water and overlapping BLR water will mitigate the remaining 47.7 ground water acres.

When 1905 WSC water is in priority, all 156.2 acres will be irrigated with ground water.

When only 1890 WSC water is in priority, the 32.2-acre wheel line field will not be irrigated and pivot irrigation will be curtailed 15.5 acres by reducing sprinkler heads.

As shown on the summary table, accounting for 21% Hatchery Ditch shrink, the deliverable rate from the WSC water rights proposed for mitigation is sufficient for sprinkler irrigation of all 156.2 acres, and even more so with the addition of the overlapping BLR water rights.

With 156.2 acres of surface water devoted to ground water mitigation at ICR, the remaining surface water will be used for irrigation of 113 acres at the SR.

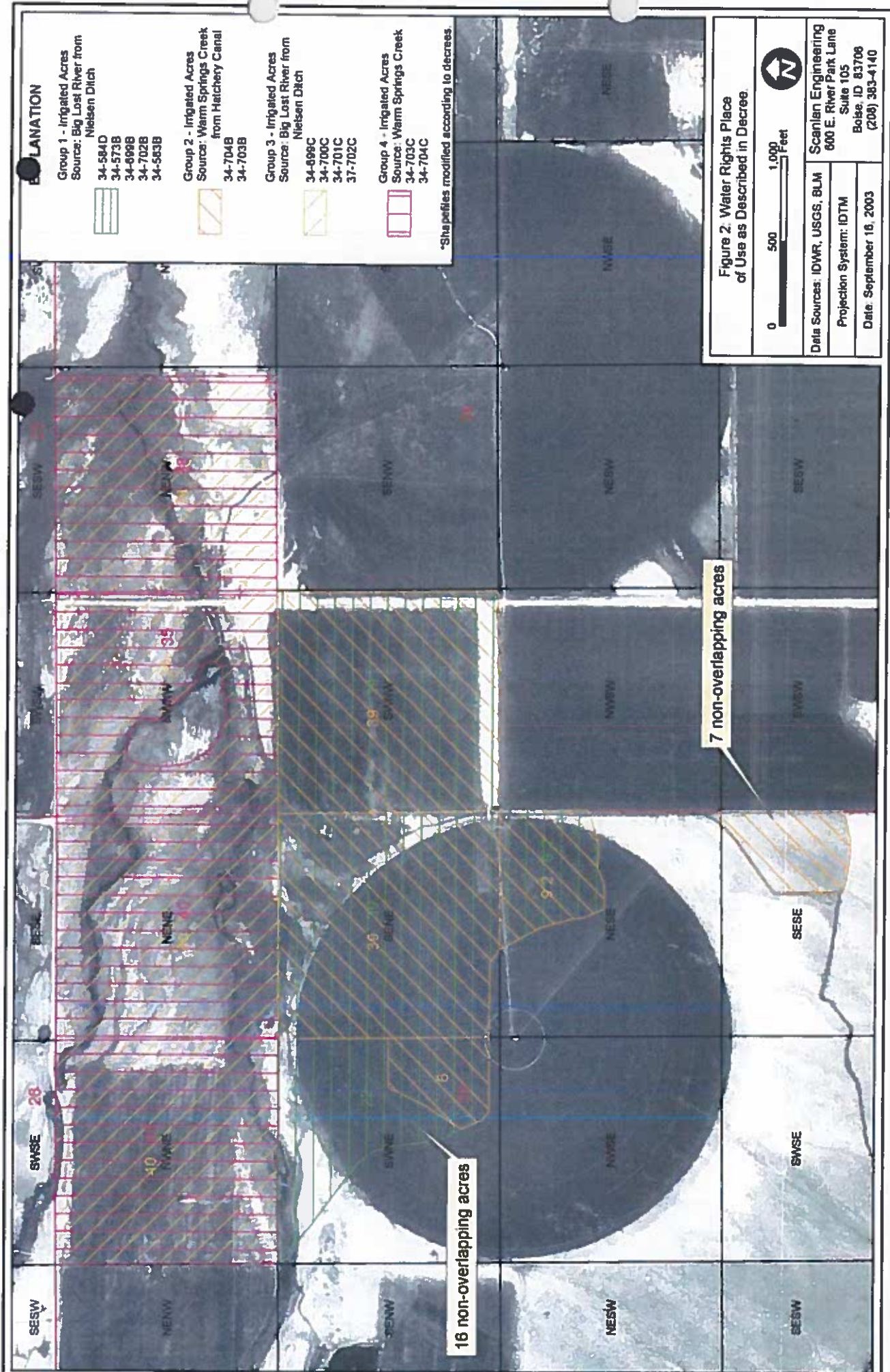
### **Department Questions per 10/18/2016 Information Request Letter**

1. Historical Availability of the proposed mitigation water rights? Available to the Department through watermaster records submitted annually for Water District 34.
2. The amount of water available for irrigation after conveyance losses? Addressed in attached table.
3. Description of how the proposed source of water and mitigation source of water are hydraulically connected? Ground water proposed under permit 34-7595 and surface water from Big Lost River and Warm Springs Creek are interconnected via Mackay Reservoir.
4. Description of existing combined limit conditions (rate, volume, acres) and how those combined limits will be preserved and distributed over the new arrangement of water rights to prevent enlargement of the rights? The water right acre limits will remain the same.
5. Plan for measuring the diversion of ground water rights and mitigation water rights? Flow meter for the well; delivered or not delivered for the surface water (see **End Result** above).
6. Analysis for estimating timing, quantity, and location of the proposed depletion? Depletion is assumed to be immediate since both sources are tributary to Mackay Reservoir.
7. An explanation of how the limitations of water right 34-703B affect the mitigation plan? See attached table.

**Note: Assumed primary water rights are bolded and assumed overlap rights are italicized**

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**EXPLANATION**

- Group 1 - Irrigated Acres  
Source: Big Lost River from Nielsen Ditch  
34-584D  
34-573B  
34-698B  
34-702B  
34-583B
- Group 2 - Irrigated Acres  
Source: Warm Springs Creek from Hatchery Canal  
34-704B  
34-703B
- Group 3 - Irrigated Acres  
Source: Big Lost River from Nielsen Ditch  
34-699C  
34-700C  
34-701C  
37-702C
- Group 4 - Irrigated Acres  
Source: Warm Springs Creek  
34-703C  
34-704C

\*Shapefiles modified according to decrees

Figure 2. Water Rights Place of Use as Described in Decree.



|                               |                                                                                                 |
|-------------------------------|-------------------------------------------------------------------------------------------------|
| Data Sources: IDWR, USGS, BLM | Scanlan Engineering<br>600 E. River Park Lane<br>Suite 105<br>Boise, ID 83706<br>(208) 383-4140 |
| Projection System: IDTM       |                                                                                                 |
| Date: September 18, 2003      |                                                                                                 |