

RECEIVED

JAN 09 2017

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

81493

(SR Transfer)
AMENDEDMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) No Access Ranch, LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

81493

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

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

Name of Applicant(s) No Access Ranch, LLC Phone 415-264-6933
Mailing address c/o Michael John, PO Box 819, 91 Laurel Grove Ave, Ross, CA 94957 Email MJohn@MJJCapitalMgt.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.

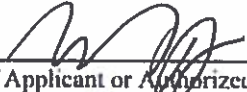
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative SPF Water Engineering Phone 208-383-4140
Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

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

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

 Signature of Applicant or Authorized Representative	<u>Michael John, Manager</u> Print Name and Title if applicable	<u>12/28/16</u> Date
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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.2.
 The purpose of this transfer is to add a second pond location and to re-distribute the irrigation place of use. Total pond volumes, when combined, will not exceed the 45 ac-ft currently authorized for recreation storage. The authorized irrigation POD under rights 34-703C and 34-704C is the same POD used for diversion to the second

pond. Because the second pond is off-stream, a diversion to storage component has been added to the storage water rights for the same flow rate authorized for recreation use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	34-573B	0.35 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.01 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☐ ☒	34-584D	0.08 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.01 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☒ ☐	34-699C	1.7 afa	Recreation Storage	1/1 to 12/31	Big Lost R./Sinks
☐ ☐		0.01/1.7	Recreation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.01 cfs	Div. to Storage	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.15/26.3	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐				to	
Total authorized under rights		2.319	cfs and/or	20.9	acre-feet. see attached Supplement 1B

2. Total amount of water proposed to be transferred or changed 2.319 cubic feet per second and/or 20.9 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	22E	35	39	37															76
				R															
		36						37											37
								R											
Total Acres (for irrigation use)																			113

Recreation storage pou same as recreation pou.

APPLICATION FOR TRANSFER OF A WATER RIGHT
Supplemental Page for Description of Rights after Transfer**

[illegible]

Total authorized under rights 2.319 cfs and/or 20.9 ac-ft

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:
Headgates and ditches. Diversions are under watermaster control.

- b. Who owns the property at the point(s) of diversion? n/a - no diversion changes proposed
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

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

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Underlying surface water rights are being re-organized, as proposed under this transfer application and two accompanying transfer applications, as part of a proposed mitigation plan for ground water right 34-7595.

- 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:

Surface Water: 34-703B, 34-704B, 34-583B, 34-699B, 34-702B ; Ground Water: 34-7595 (permit).

When combined, all the surface water rights are limited to 269.2 acres irrigation that are proposed for re-distribution into two separate systems. This transfer application represents 113 of those acres. The remaining

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed: acres are covered on an accompanying transfer application.

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:

Page _____ of _____

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

*Security Int
The Peoples State bank*

Current Water Right No.: 34-573b

Current Owner: NO ACCESS RANCH LLC

Priority Date: 5/13/1912

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

1/01 to 12/31

0.02 CFS

IRRIGATION

5/01 to 10/15

2.4 CFS

Total Diversion

2.4 CFS

Location of Point(s) of Diversion

BIG LOST RIVER

NE1/4SW1/4NW1/4

Sec. 15,

Twp 08N,

Rge 21E B.M.

CUSTER County

BIG LOST RIVER

SW1/4SW1/4NW1/4

Sec. 27,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Injection)

BIG LOST RIVER

SE1/4SE1/4SW1/4

Sec. 26,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Rediversion)

Place of Use

STOCKWATER Within CUSTER County

T08N R22E S35

SWNE

T08N R22E S35

SENE

IRRIGATION Within CUSTER County

T08N R22E S35

SWNE

22.00

T08N R22E S35

SENE

39.00

T08N R22E S35

NESE

9.20

T08N R22E S36

SWNW

39.00

Total Acres: 109.2

Page _____ of _____

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. STOCKWATER, 500 RANGE CATTLE WATER IS DELIVERED THROUGH NEILSEN DITCH.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
7. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.37 CFS.
COMBINED RIGHT NOS.: 34-00699B, 34-00583B, 34-00584D, 34-00702B, 34-00703B AND 34-00704B.
8. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
9. USE OF THIS RIGHT WITH RIGHT NOS. 34-00699B, 34-00702B, 34-00583B AND 34-00584D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.2 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 116.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00699B, 34-00583B, 34-00584D, 34-00702B, 34-00703B AND 34-00704B.
10. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
11. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

Decreed Date: 2/13/2002

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

*The Peoples State Bank
Security Interest*

Current Water Right No.: 34-584d

Current Owner: NO ACCESS RANCH LLC

Priority Date: 6/1/1916

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 5/01 to 10/15

0.58 CFS

STOCKWATER 1/01 to 12/31

0.02 CFS

Total Diversion

0.58 CFS

Location of Point(s) of Diversion

BIG LOST RIVER

NE1/4SW1/4NW1/4 Sec. 15, Twp 08N, Rge 21E B.M.

CUSTER County

BIG LOST RIVER

SW1/4SW1/4NW1/4 Sec. 27, Twp 08N, Rge 22E B.M.
(Injection)

CUSTER County

BIG LOST RIVER

SE1/4SE1/4SW1/4 Sec. 26, Twp 08N, Rge 22E B.M.
(Rediversion)

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T08N R22E S35	SWNE	22.00	T08N R22E S35	SENE	39.00
T08N R22E S35	NESE	9.20	T08N R22E S36	SWNW	39.00

Total Acres: 109.2

STOCKWATER Within CUSTER County

T08N R22E S35	SWNE	T08N R22E S35	SENE
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Page _____ of _____

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. WATER IS DELIVERED THROUGH NEILSEN DITCH.
STOCKWATER, 500 RANGE
5. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.37 CFS.
COMBINED RIGHT NOS.: 34-00573B, 34-00583B, 34-00699B, 34-00702B, 34-00703B AND 34-00704B.
8. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
9. USE OF THIS RIGHT WITH RIGHT NOS. 34-00573B, 34-00583B, 34-00699B AND 34-00702B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.2 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 116.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00573B, 34-00583B, 34-00699B, 34-00702B, 34-00703B AND 34-00704B.
10. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.

Decreed Date: 2/13/2002

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

The Peoples State Bank

Current Water Right No.: 34-699c

Current Owner: NO ACCESS RANCH LLC

Priority Date: 6/1/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

RECREATION STORAGE 1/01 to 12/31

1.7 AF

IRRIGATION 5/01 to 10/15

0.15 CFS

26.3 AF

RECREATION 5/01 to 10/15

0.01 CFS

1.7 AF

Total Diversion

0.16 CFS

28 AF

Location of Point(s) of Diversion

BIG LOST RIVER

SE1/4SE1/4SW1/4

Sec. 26,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Rediversion)

BIG LOST RIVER

NE1/4SW1/4NW1/4

Sec. 15,

Twp 08N,

Rge 21E B.M.

CUSTER County

BIG LOST RIVER

SW1/4SW1/4NW1/4

Sec. 27,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Injection)

Place of Use

IRRIGATION Within CUSTER County

T08N R22E S35

NENE

40.00

T08N R22E S35

NWNE

40.00

T08N R22E S36

NENW

38.00

T08N R22E S36

NWNW

35.00

Total Acres: 153

RECREATION Within CUSTER County

T08N R22E S36

NWNW

Place of Use: RECREATION STORAGE same as IRRIGATION

Conditions of Approval:

1. THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000 IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 7.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
4. WATER DELIVERED THROUGH NEILSEN DITCH THE APPROVAL OF TRANSFER NO. 5004 IS SPECIFICALLY CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999. IN THE MATTER OF APPLICATION FOR PERMIT NO. 34-07591, IN THE NAME OF L&S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. APPROVAL OF TRANSFER NO. 5004 IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THE STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.
5. 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.
6. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5004 BY FEBRUARY 28, 2001.
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AT THE POINT OF INJECTION INTO WARM SPRINGS CREEK FOR RIGHTS 34-00699C, 34-00700C, 34-00701C AND 34-00702C.
7. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.

Decreed Date: 11/30/2001

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

*The Peoples State Bank
Security Interest.*

Current Water Right No.: 34-700c

Current Owner: NO ACCESS RANCH LLC

Priority Date: 5/1/1905

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

RECREATION STORAGE 1/01 to 12/31

1.7 AF

IRRIGATION 5/01 to 10/15

0.363 CFS

63.7 AF

RECREATION 5/01 to 10/15

0.01 CFS

1.7 AF

Total Diversion

0.373 CFS

65.5 AF

Location of Point(s) of Diversion

BIG LOST RIVER

SE1/4SE1/4SW1/4

Sec. 26,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Rediversion)

BIG LOST RIVER

NE1/4SW1/4NW1/4

Sec. 15,

Twp 08N,

Rge 21E B.M.

CUSTER County

BIG LOST RIVER

SW1/4SW1/4NW1/4

Sec. 27,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Injection)

Place of Use

IRRIGATION Within CUSTER County

T08N R22E S35

NENE

40.00

T08N R22E S35

NWNE

40.00

T08N R22E S36

NENW

38.00

T08N R22E S36

NWNW

35.00

Total Acres: 153

RECREATION Within CUSTER County

T08N R22E S36

NWNW

Place of Use: RECREATION STORAGE same as IRRIGATION

Conditions of Approval:

1. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. WATER DELIVERED THROUGH NEILSEN DITCH THE APPROVAL OF TRANSFER NO. 5004 IS SPECIFICALLY CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999. IN THE MATTER OF APPLICATION FOR PERMIT NO. 34-07591, IN THE NAME OF L&S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. APPROVAL OF TRANSFER NO. 5004 IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THE STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.
4. THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES.
5. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5004 BY FEBRUARY 28, 2001.
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AT THE POINT OF INJECTION INTO WARM SPRINGS CREEK FOR RIGHTS 34-00699C, 34-00700C, 34-00701C AND 34-00702C.
6. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000 IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.

Decreed Date: 11/30/2001

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

*The Peoples State Bank
Security Interest*

Current Water Right No.: 34-701c

Current Owner: NO ACCESS RANCH LLC
Priority Date: 7/1/1916
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	5/01 to 10/15	0.04 CFS	7 AF
IRRIGATION	5/01 to 10/15	1.133 CFS	198.5 AF
RECREATION STORAGE	1/01 to 12/31		7 AF
<u>Total Diversion</u>		1.173 CFS	205.5 AF

Location of Point(s) of Diversion

BIG LOST RIVER	SW1/4SW1/4NW1/4	Sec. 27,	Twp 08N,	Rge 22E B.M.
CUSTER County		(Injection)		
BIG LOST RIVER	NE1/4SW1/4NW1/4	Sec. 15,	Twp 08N,	Rge 21E B.M.
CUSTER County				
BIG LOST RIVER	SE1/4SE1/4SW1/4	Sec. 26,	Twp 08N,	Rge 22E B.M.
CUSTER County		(Rediversion)		

Place of Use

RECREATION Within CUSTER County

T08N R22E S36 NWNW

IRRIGATION Within CUSTER County

T08N R22E S35	NENE	40.00	T08N R22E S35	NWNE	40.00
T08N R22E S36	NENW	38.00	T08N R22E S36	NWNW	35.00

Total Acres: 153

Place of Use: RECREATION STORAGE same as RECREATION

Conditions of Approval:

1. USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
4. THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES.
5. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5004 BY FEBRUARY 28, 2001.
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AT THE POINT OF INJECTION INTO WARM SPRINGS CREEK FOR RIGHTS 34-00699C, 34-00700C, 34-00701C AND 34-00702C.
6. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000 IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 56.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. WATER DELIVERED THROUGH NEILSEN DITCH THE APPROVAL OF TRANSFER NO. 5004 IS SPECIFICALLY CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999. IN THE MATTER OF APPLICATION FOR PERMIT NO. 34-07591, IN THE NAME OF L&S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. APPROVAL OF TRANSFER NO. 5004 IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THE STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.

Decreed Date: 11/30/2001

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

*The Peoples State Bank
Security
Interest*

Current Water Right No.: 34-702c

Current Owner: NO ACCESS RANCH LLC

Priority Date: 5/1/1910

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 5/01 to 10/15

0.416 CFS

72.9 AF

RECREATION 5/01 to 10/15

0.01 CFS

1.7 AF

RECREATION STORAGE 1/01 to 12/31

1.7 AF

Total Diversion

0.426 CFS

72.9 AF

Location of Point(s) of Diversion

BIG LOST RIVER

NE1/4SW1/4NW1/4 Sec. 15, Twp 08N, Rge 21E B.M.

CUSTER County

BIG LOST RIVER

SW1/4SW1/4NW1/4 Sec. 27, Twp 08N, Rge 22E B.M.

CUSTER County

(Injection)

BIG LOST RIVER

SE1/4SE1/4SW1/4 Sec. 26, Twp 08N, Rge 22E B.M.

CUSTER County

(Rediversion)

Place of Use

IRRIGATION Within CUSTER County

T08N R22E S35	NENE	40.00	T08N R22E S35	NWNE	40.00
T08N R22E S36	NENW	38.00	T08N R22E S36	NWNW	35.00

Total Acres: 153

RECREATION Within CUSTER County

T08N R22E S36 NWNW

Place of Use: RECREATION STORAGE same as IRRIGATION

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. USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000 IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
5. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5004 BY FEBRUARY 28, 2001.
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AT THE POINT OF INJECTION INTO WARM SPRINGS CREEK FOR RIGHTS 34-00699C, 34-00700C, 34-00701C AND 34-00702C.
6. THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES.
7. WATER DELIVERED THROUGH NEILSEN DITCH THE APPROVAL OF TRANSFER NO. 5004 IS SPECIFICALLY CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999. IN THE MATTER OF APPLICATION FOR PERMIT NO. 34-07591, IN THE NAME OF L&S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. APPROVAL OF TRANSFER NO. 5004 IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THE STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.

Decreed Date: 11/30/2001

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

Current Water Right No.: 34-703c

Current Owner: NO ACCESS RANCH LLC

Priority Date: 6/1/1890

Origin: Water Right

Status: Active

Basis: Decreed

*The peoples ~~total~~ State Bank
Security Interest*

Source

WARM SPRINGS CREEK

Tributary

BIG LOST RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01 to 12/31		5.3 AF
IRRIGATION	5/01 to 10/15	0.77 CFS	134.7 AF
RECREATION	5/01 to 10/15	0.03 CFS	5.3 AF
	<u>Total Diversion</u>	0.8 CFS	140 AF

Location of Point(s) of Diversion

WARM SPRINGS CREEK

CUSTER County

SW1/4NW1/4NE1/4

Sec. 35, Twp 08N, Rge 22E B.M.

Place of Use

IRRIGATION Within CUSTER County

T08N R22E S35	NENE	40.00	T08N R22E S35	NWNE	40.00
T08N R22E S36	NENW	38.00	T08N R22E S36	NWNW	35.00
Total Acres: 153					

RECREATION Within CUSTER County

T08N R22E S36 NWNW

Place of Use: RECREATION STORAGE same as IRRIGATION

Conditions of Approval:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000 IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 38.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES.
3. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5004 BY FEBRUARY 28, 2001.
4. 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.
5. THE APPROVAL OF TRANSFER NO. 5004 IS SPECIFICALLY CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999. IN THE MATTER OF APPLICATION FOR PERMIT NO. 34-07591, IN THE NAME OF L&S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. APPROVAL OF TRANSFER NO. 5004 IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THE STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.
6. USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.

Decreed Date: 11/30/2001

Page _____ of _____

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

Current Water Right No.: 34-704c

Current Owner: NO ACCESS RANCH LLC

Priority Date: 5/1/1905

Origin: Water Right

Status: Active

Basis: Decreed

*The Peoples State Bank
Security Interest*

Source

WARM SPRINGS CREEK

Tributary

BIG LOST RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

RECREATION 5/01 to 10/15

0.02 CFS

3.5 AF

RECREATION STORAGE 1/01 to 12/31

3.5 AF

IRRIGATION 5/01 to 10/15

0.513 CFS

90 AF

Total Diversion

0.533 CFS

93.5 AF

Location of Point(s) of Diversion

WARM SPRINGS CREEK
CUSTER County

SW1/4NW1/4NE1/4

Sec. 35, Twp 08N, Rge 22E B.M.

Place of Use

RECREATION Within CUSTER County

T08N R22E S36 NWNW

IRRIGATION Within CUSTER County

T08N R22E S35	NENE	40.00	T08N R22E S35	NWNE	40.00
T08N R22E S36	NENW	38.00	T08N R22E S36	NWNW	35.00

Total Acres: 153

Place of Use: RECREATION STORAGE same as RECREATION

81493

Conditions of Approval:

1. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5004 BY FEBRUARY 28, 2001.
2. THE APPROVAL OF TRANSFER NO. 5004 IS SPECIFICALLY **CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999. IN THE MATTER OF APPLICATION FOR PERMIT NO. 34-07591, IN THE NAME OF L&S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. APPROVAL OF TRANSFER NO. 5004 IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THE STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.**
3. THE PERIOD OF USE FOR IRRIGATION AND RECREATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR FOR THE DEPARTMENT OF WATER RESOURCES.
4. 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.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.1 ACRES IN THE 2000 IRRIGATION SEASON AND 153 ACRES IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. USE OF THE RIGHTS LISTED BELOW FOR IRRIGATION IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.16 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME OF 508.0 AF IN THE 2000 IRRIGATION SEASON AND TO A TOTAL COMBINED DIVERSION RATE OF 3.33 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 553.0 AF IN EACH IRRIGATION SEASON THEREAFTER. COMBINED RIGHT NOS.: 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C AND 34-00704C.

Decreed Date: 11/30/2001

RECEIVED

JAN 09 2017

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a Part 2A report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 34-573B

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]**Total Acres (for irrigation use)**

16

81493

81493

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

FOR DEPARTMENT USE ONLY

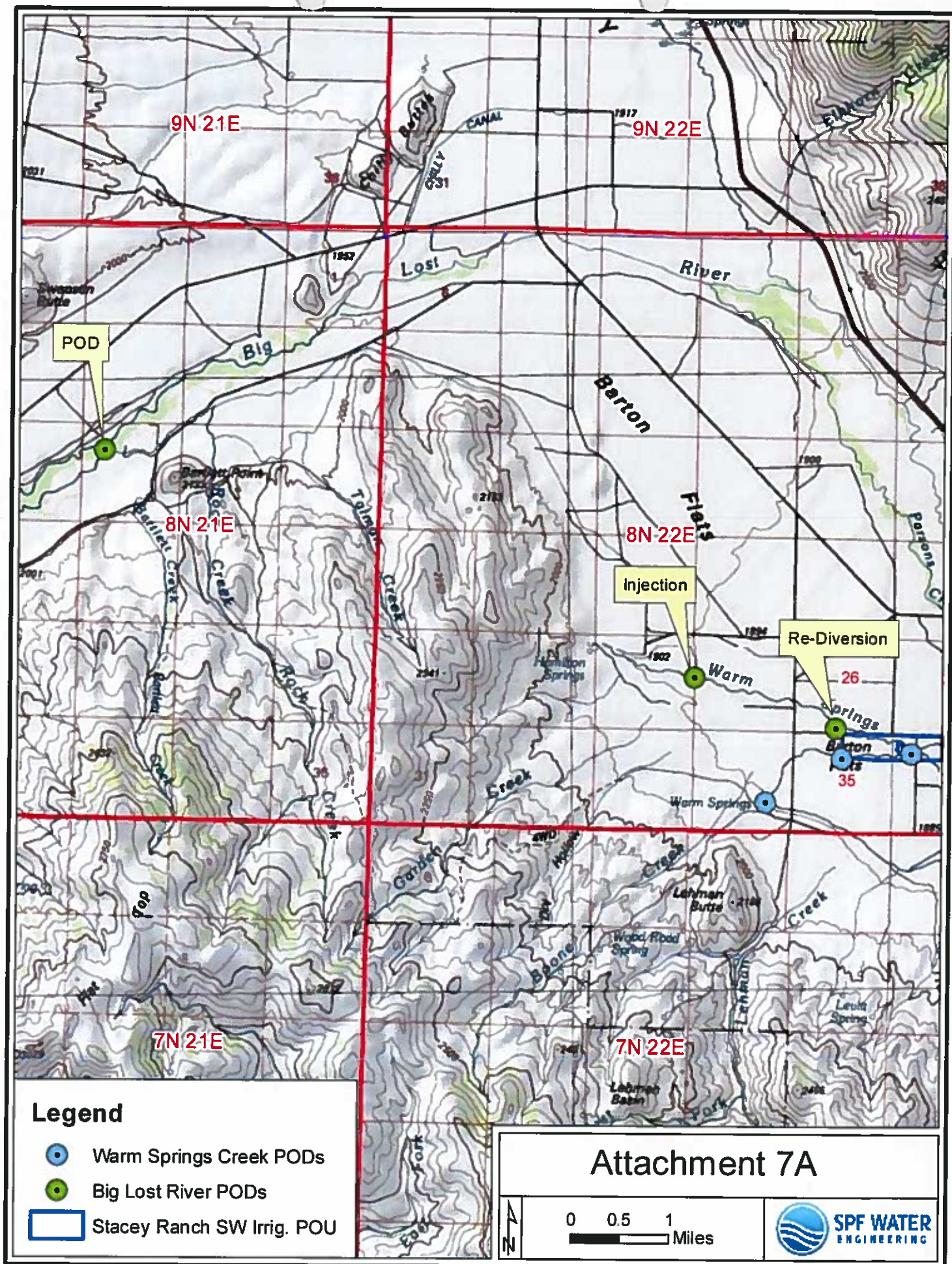
Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date 9/22/16

Fee paid \$960.00 Date _____ Received by SC Receipt # E042449

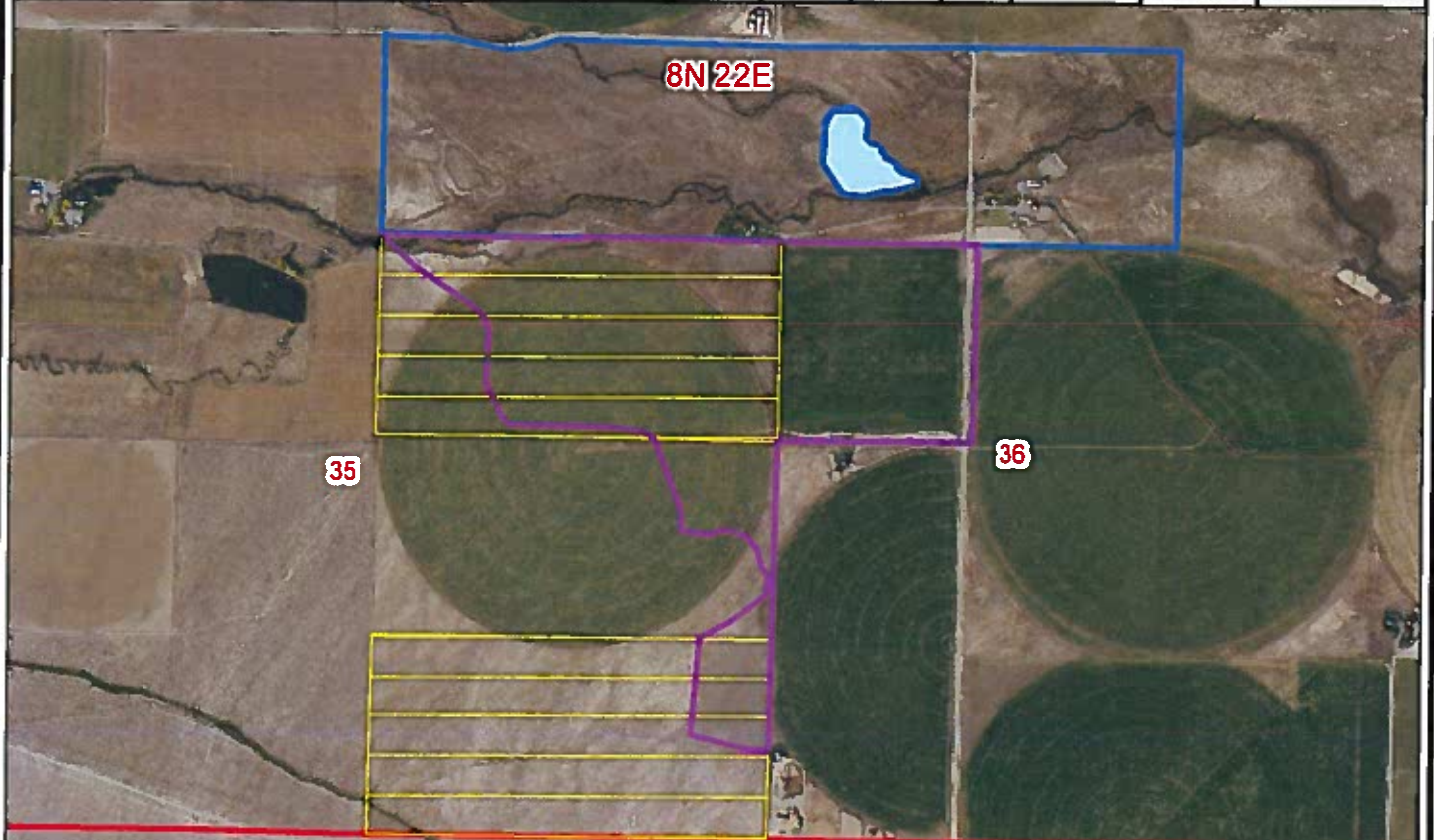
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



Current Water Right Distribution

WR No.	Status	Source	Use	Priority Date	Div. Rate (cfs)	Div. Rate (cfs)	Div. Volume (afa)	Div. Volume (afa)	Acre Limit	Combined Total Acres		POU	Current Owner
34-573B	Decree	Big Lost R.	Irrigation, Stockwater	5/13/1912	2.4	4.37	n/a	406.7	109.2	109.2	116.2	Idaho Cowboy Ranch	Idaho Cowboy Inc.
34-583B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1899	0.8		n/a		40				
34-584D	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1916	0.58		n/a		109.2				
34-699B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1885	0.16		n/a		8				
34-702B	Decree	Big Lost R.	Irrigation, Stockwater	5/1/1910	0.426		n/a		21.3				
34-703B	Decree	Warm Springs Cr.	Irrigation, Stockwater	6/1/1890	1.4		251.7		70	100.2			
34-704B	Decree	Warm Springs Cr.	Irrigation, Stockwater	5/1/1905	0.94	357.4	0						
34-699C	Decree	Big Lost R.	Recreation, Irrigation	6/1/1885	0.16	3.33	28	553	7.5	153		Stacey Ranch	Wild Horse Partners LLC
34-700C	Decree	Big Lost R.	Recreation, Irrigation	5/1/1905	0.373		65.4		18.2				
34-701C	Decree	Big Lost R.	Recreation, Irrigation	7/1/1916	1.173		205.5		56.7				
34-702C	Decree	Big Lost R.	Recreation, Irrigation	5/1/1910	0.426		74.6		20.8				
34-703C	Decree	Warm Springs Cr.	Recreation, Irrigation	6/1/1890	0.8		140		38.5				
34-704C	Decree	Warm Springs Cr.	Recreation, Irrigation	5/1/1905	0.533		93.5		25.7				



Legend

- Idaho Cowboy Ranch SW Irrig. POU
- Idaho Cowboy Ranch Stockwater POU
- Stacey Ranch SW Irrig. POU
- Authorized Pond POU

2015 Photo

Attachment 7B1



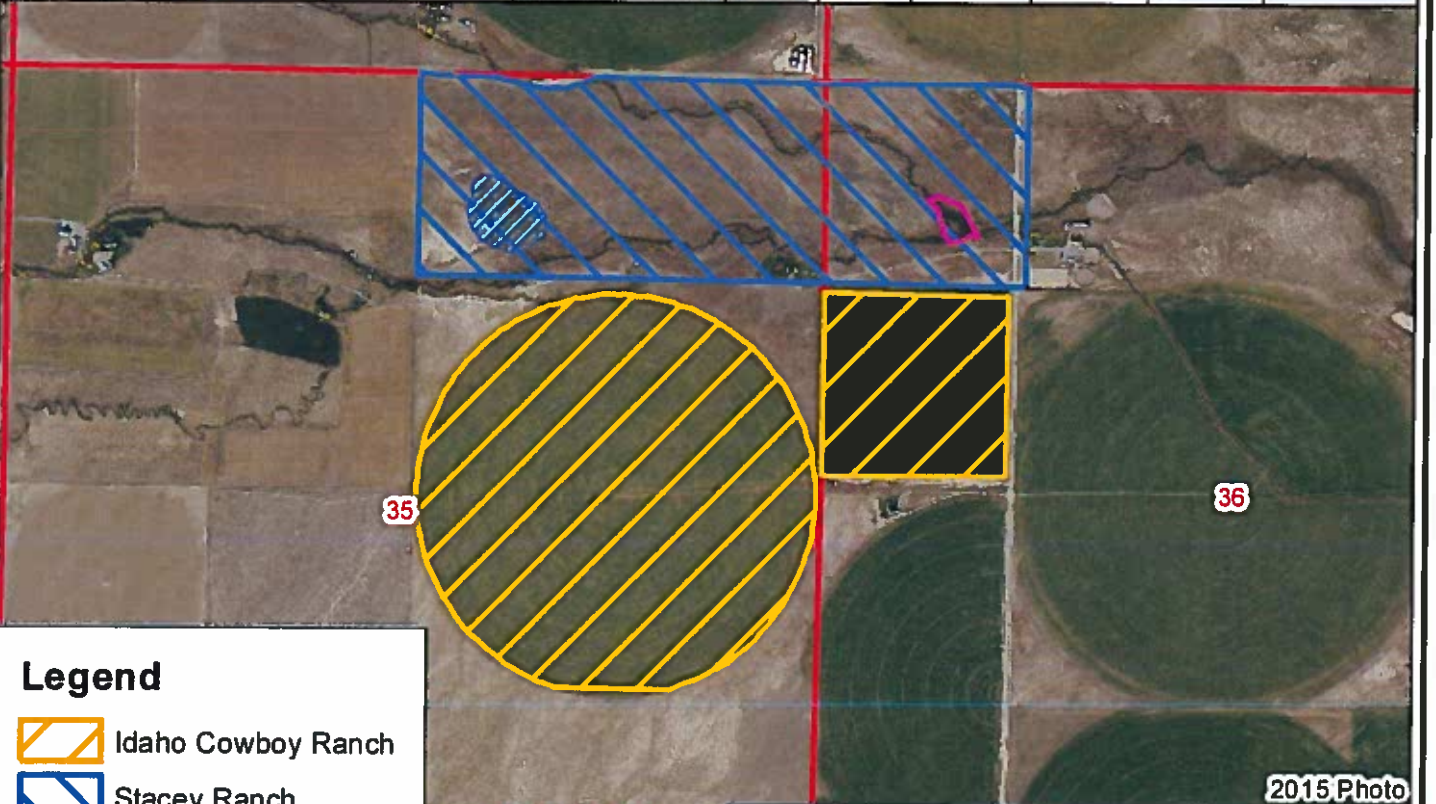
0 750 1,500
Feet



814934

Proposed Water Right Distribution

WR No.	Status	Priority Date	Source	Use	Div. Rate	Div. Volume	Total Acres	Combined Acre Limit	Mitigation Acres?	Proposed POU
34-703B	Decree	6/1/1890	Warm Springs Cr.	Irrigation	1.4	245	70	100.2	Yes	ID Cowboy Ranch (156.2 acres)
				Stockwater	0.02	6.7				
34-704B	Decree	5/1/1905	Warm Springs Cr.	Irrigation	0.94	350.7	100.2			
				Stockwater	0.02	6.7				
34-703C	Decree	6/1/1890	Warm Springs Cr.	Irrigation	0.77	134.7	38.5	17.5	Yes	
34-704C	Decree	5/1/1905	Warm Springs Cr.	Irrigation	0.35	61.3	17.5		Yes	
34-701C	Decree	7/1/1916	Big Lost R.	Irrigation	0.29	50.4	14.4			
34-573B	Decree	5/13/1912	Big Lost R.	Irrigation	2.05	n/a	93.2	93.2		
				Stockwater	0.01					
34-584D	Decree	6/1/1916	Big Lost R.	Irrigation	0.5	n/a	93.2			
				Stockwater	0.01					
34-583B	Decree	6/1/1899	Big Lost R.	Irrigation	0.8	n/a	40			
				Stockwater	0.02					
34-699B	Decree	6/1/1885	Big Lost R.	Irrigation	0.16	n/a	8			
				Stockwater	0.02					
34-702B	Decree	5/1/1910	Big Lost R.	Irrigation	0.426	n/a	21.3			
				Stockwater	0.02					
34-573B	Decree	5/13/1912	Big Lost R.	Irrigation	0.35	n/a	16	16		
				Stockwater	0.01	n/a				
34-584D	Decree	6/1/1916	Big Lost R.	Irrigation	0.08	n/a	16			
				Stockwater	0.01	n/a				
34-699C	Decree	6/1/1885	Big Lost R.	Irrigation	0.15	26.3	7.5		Stacey Ranch (113 acres)	
				Rec & Rec Storage	0.01	1.7				
34-700C	Decree	5/1/1905	Big Lost R.	Irrigation	0.36	63.7	18.2			
				Rec & Rec Storage	0.01	1.7				
34-701C	Decree	7/1/1916	Big Lost R.	Irrigation	0.84	148.1	42.3			
				Rec & Rec Storage	0.04	7				
34-702C	Decree	5/1/1910	Big Lost R.	Irrigation	0.41	72.9	20.8			
				Rec & Rec Storage	0.01	1.7				
37-703C	Decree	6/1/1890	Warm Springs Cr.	Rec & Rec Storage	0.03	5.3				
34-704C	Decree	5/1/1905	Warm Springs Cr.	Irrigation	0.16	28.7	8.2			
				Rec & Rec Storage	0.02	3.5				



Legend

-  Idaho Cowboy Ranch
-  Stacey Ranch
-  Existing Pond POU
-  Proposed Pond POU
-  Sections

T8N R22E

T7N R22E

Attachment 7B2



0 800 1,600 Feet



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**RECEIVED**
SEP 22 2016

Department of Water Resources

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) No Access Ranch, LLCCheck whether each item below is **attached (Yes)** or **not applicable (N/A)** for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED
SEP 12 2016
Department of Water Resources
Eastern Region

Name of Applicant(s) No Access Ranch, LLC Phone 415-264-6933
Mailing address c/o Michael John, PO Box 819, 91 Laurel Grove Ave, Ross, CA 94957 Email MJohn@MJJCapitalMgt.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 SPF Water Engineering Phone 208-383-4140
Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

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

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

 Michael John, Manager 9/7/16
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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.2.**
The purpose of this transfer is to add a second pond location and to re-distribute the irrigation place of use. Total pond volumes, when combined, will not exceed the 45 ac-ft currently authorized for recreation storage. The authorized irrigation POD under rights 34-703C and 34-704C is the same POD used for diversion to the second

Page 2

pond. Because the second pond is off-stream, a diversion to storage component has been added to the storage water rights for the same flow rate authorized for recreation use. **81493**

Receipt #8042449

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 ☒ ☐	34-573B	2.4 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☐ ☒	34-583B	0.76 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☒ ☐	34-584D	0.58 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☐ ☒	34-699C	1.7 af	Recreation Storage	1/1 to 12/31	Big Lost R./Sinks
☐ ☐		0.01/1.7	Recreation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.01	Div to Storage	5/1 to 10/15	Big Lost R./Sinks

Total authorized under rights 6.198 cfs and/or 354.4 acre-feet. **see attached Supplement 1B**

2. Total amount of water proposed to be transferred or changed 6.198 cubic feet per second and/or 354.4 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	22E	35	40	35															75
				R															40
		36						40											
								R											
Total Acres (for irrigation use)																			*115

*87.3 acres irrigation within a 115-acre permissible place of use.

Recreation storage pou same as recreation pou.

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:
Headgates and ditches. Diversions are under watermaster control.

- b. Who owns the property at the point(s) of diversion? n/a - no diversion changes proposed

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

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

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

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Underlying surface water rights are being re-organized, as proposed under this transfer application and two accompanying transfer applications, as part of a proposed mitigation plan for ground water rights 34-7595 and 34-13789.

- 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:

Surface Water: 34-699B, 34-703B, 34-704B; Ground Water: 34-7595 (permit), 34-13789 (application)

When combined, all the surface water rights are limited to 269.2 acres irrigation that are proposed for re-distribution into three separate systems. This transfer application represents 87.3 of those acres. The remaining

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed: acres are covered on two accompanying transfer applications.

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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a Part 2A report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

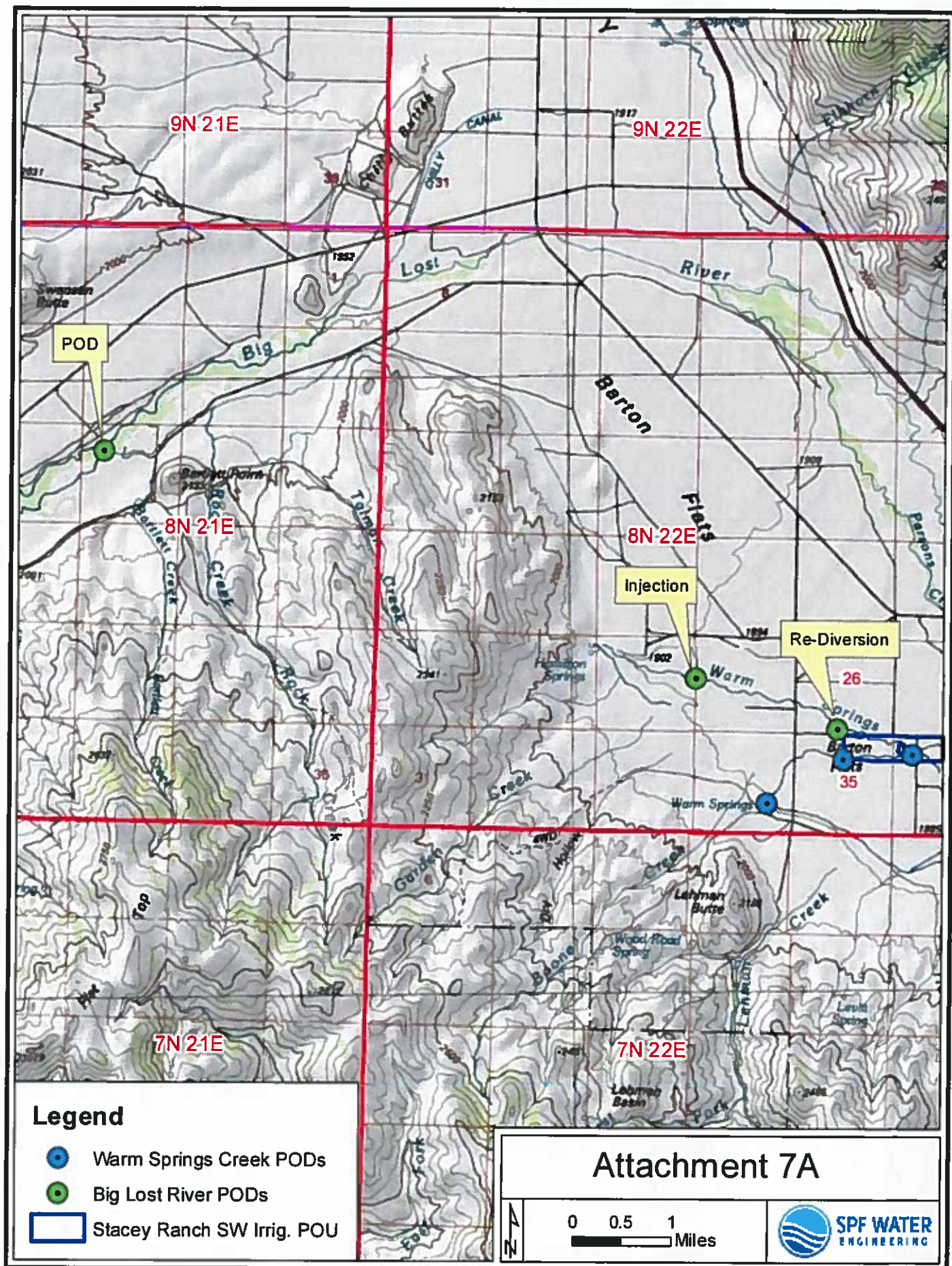
- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 34-583B

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

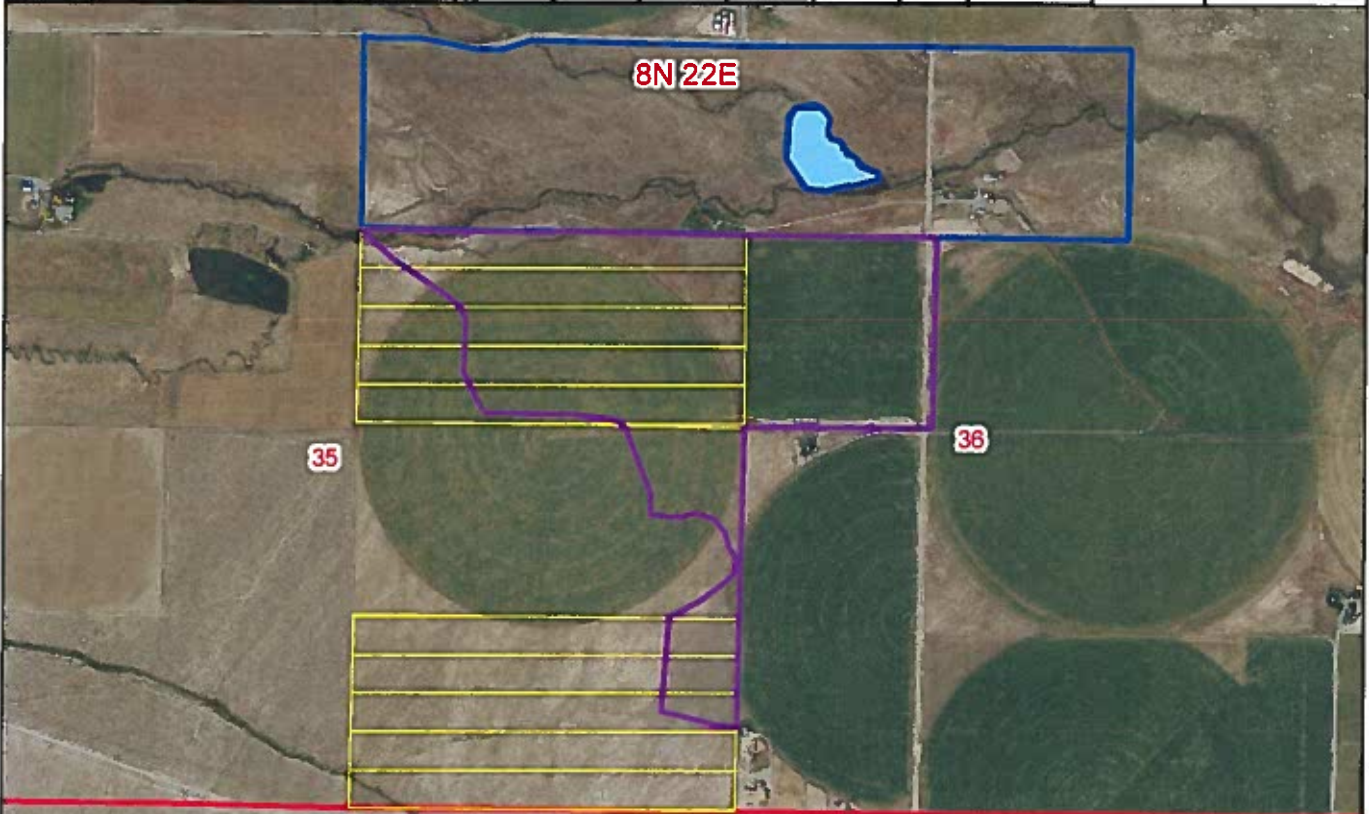
[illegible]



81493

Current Water Right Distribution

WR No.	Status	Source	Use	Priority Date	Div. Rate (cfs)	Div. Rate (cfs)	Div. Volume (afa)	Div. Volume (afa)	Acre Limit	Combined Total Acres	POU	Current Owner
34-573B	Decree	Big Lost R.	Irrigation, Stockwater	5/13/1912	2.4	4.37	n/a	406.7	109.2	109.2	Idaho Cowboy Ranch	Idaho Cowboy Inc.
34-583B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1899	0.8		n/a		40			
34-584D	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1916	0.58		n/a		109.2			
34-699B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1885	0.16		n/a		8			
34-702B	Decree	Big Lost R.	Irrigation, Stockwater	5/1/1910	0.426		n/a		21.3			
34-703B	Decree	Warm Springs Cr.	Irrigation, Stockwater	6/1/1890	1.4		251.7		70	100.2		
34-704B	Decree	Warm Springs Cr.	Irrigation, Stockwater	5/1/1905	0.94		357.4		0			
34-699C	Decree	Big Lost R.	Recreation, Irrigation	6/1/1885	0.16	3.33	28	553	7.5	153	Stacey Ranch	Wild Horse Partners LLC
34-700C	Decree	Big Lost R.	Recreation, Irrigation	5/1/1905	0.373		65.4		18.2			
34-701C	Decree	Big Lost R.	Recreation, Irrigation	7/1/1916	1.173		205.5		56.7			
34-702C	Decree	Big Lost R.	Recreation, Irrigation	5/1/1910	0.426		74.6		20.8			
34-703C	Decree	Warm Springs Cr.	Recreation, Irrigation	6/1/1890	0.8		140		38.5			
34-704C	Decree	Warm Springs Cr.	Recreation, Irrigation	5/1/1905	0.533		93.5		25.7			



2015 Photo

Legend

- Idaho Cowboy Ranch SW Irrig. POU
- Idaho Cowboy Ranch Stockwater POU
- Stacey Ranch SW Irrig. POU
- Authorized Pond POU

Attachment 7B1



0 750 1,500 Feet



81493

Proposed Water Right Distribution

WR No.	Status	Source	Use	Priority Date	Div. Rate (cfs)	Div. Volume (afa)	Acre Limit	Proposed for GW Mitigation	Total Acres	POU	Current Owner
34-583B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1899	0.04	n/a	2	Yes - Permit 34-7595	156.2	Idaho Cowboy Ranch	Idaho Cowboy Inc.
34-699B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1885	0.16	n/a	8				Idaho Cowboy Inc.
34-703B	Decree	Warm Springs Cr.	Irrigation, Stockwater	6/1/1890	1.4	251.7	100.2				Idaho Cowboy Inc.
34-704B	Decree	Warm Springs Cr.	Irrigation, Stockwater	5/1/1905	0.94	357.4					Idaho Cowboy Inc.
34-699C	Decree	Big Lost R.	Irrigation	6/1/1885	0.15	26.3	7.5				Wild Horse Partners LLC
34-703C	Decree	Warm Springs Cr.	Irrigation	6/1/1890	0.77	134.7	38.5	No	87.3	Stacey Ranch (West of Rd)	Wild Horse Partners LLC
34-573B	Decree	Big Lost R.	Irrigation, Stockwater	5/13/1812	2.4	n/a	87				Idaho Cowboy Inc.
34-583B	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1899	0.76	n/a	38				Idaho Cowboy Inc.
34-584D	Decree	Big Lost R.	Irrigation, Stockwater	6/1/1916	0.58	n/a	87				Idaho Cowboy Inc.
34-702B	Decree	Big Lost R.	Irrigation, Stockwater	5/1/1910	0.426	n/a	21.3				Idaho Cowboy Inc.
34-699C	Decree	Big Lost R.	Recreation	6/1/1885	0.01	1.7	n/a				Wild Horse Partners LLC
34-700C	Decree	Big Lost R.	Recreation, Irrigation	5/1/1905	0.373	65.4	18.2				Wild Horse Partners LLC
34-701C	Decree	Big Lost R.	Recreation, Irrigation	7/1/1916	1.173	205.5	58.7				Wild Horse Partners LLC
34-702C	Decree	Big Lost R.	Recreation, Irrigation	5/1/1910	0.426	74.6	20.8				Wild Horse Partners LLC
34-703C	Decree	Warm Springs Cr.	Recreation	6/1/1890	0.03	5.3	n/a				Wild Horse Partners LLC
34-704C	Decree	Warm Springs Cr.	Recreation	5/1/1905	0.02	3.5	n/a				Wild Horse Partners LLC
34-704C	Decree	Warm Springs Cr.	Irrigation	5/1/1905	0.513	90	25.7	Yes - Appl 34-13789	25.7	Stacey Ranch (East of Rd)	Wild Horse Partners LLC

