

RECEIVED

JAN 09 2017

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

Transfer No.

81407

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER(ICR Transfer)
AMENDED

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

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JAN 09 2017

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] Michael John, Manager 12/28/16
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.
- Permit 34-7595 proposes 156.2 acres irrigation with ground water and requires mitigation. The purpose of this transfer is to satisfy the permit's mitigation requirement by transferring an equivalent amount of senior surface water rights to the permit acres. This will allow the applicant flexibility to irrigate with surface water or ground water on the 156.2 acres.

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 ₁	2.05 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 ₁	0.5 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.01 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☒ ☐	34-583B ₁	0.8 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☒ ☐	34-699B ₁	0.16 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	Big Lost R./Sinks
☐ ☒	34-701C ₁	0.29/50.4	Irrigation	5/1 to 10/15	Big Lost R./Sinks

Total authorized under rights 7.686 cfs and/or _____ acre-feet.

see attached Supplement 1B

2. Total amount of water proposed to be transferred or changed 7.686 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 #

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			31	31									31	31			124
		36							32.2										32.2
Total Acres (for irrigation use)																			156.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

[illegible]

Total authorized under rights 7.686 cfs and/or _____ ac-ft

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

81407

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 an accompanying transfer application, 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:
SW: 34-699C, 34-700C, 34-702C; GW: 34-7595 (pmt)
When combined, all the surface water rights are limited to 269.2 acres irrigation that are proposed for redistribution into three separate systems. This transfer application represents 156.2 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:

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

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

STOCKWATER

From To

1/01 to 12/31

Diversion Rate

0.02 CFS

Annual Volume

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

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**

Current Water Right No.: 34-583b

Current Owner: NO ACCESS RANCH LLC

Priority Date: 6/1/1899

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

0.8 CFS

Total Diversion

0.8 CFS

Location of Point(s) of Diversion

BIG LOST RIVER

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

CUSTER County

BIG LOST RIVER

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

CUSTER County

BIG LOST RIVER

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

CUSTER County

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

Conditions of Approval:

1. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. WATER IS DELIVERED THROUGH NEILSEN DITCH.
STOCKWATER, 500 RANGE CATTLE
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. 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.
5. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
6. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
7. USE OF THIS RIGHT WITH RIGHT NOS. 34-00573B, 34-00584D, 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 TO THE IRRIGATION OF A COMBINED TOTAL OF 116.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00573B, 34-00584D, 34-00699B, 34-00702B, 34-00703B AND 34-00704B.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
8. 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, 34-00584D, 34-00699B, 34-00702B, 34-00703B AND 34-00704B.

Decreed Date: 12/29/1997

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

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

IRRIGATION

STOCKWATER

From To

5/01 to 10/15

1/01 to 12/31

Total Diversion

Diversion Rate

0.58 CFS

0.02 CFS

0.58 CFS

Annual Volume

Location of Point(s) of Diversion

BIG LOST RIVER

CUSTER County

NE1/4SW1/4NW1/4

Sec. 15,

Twp 08N,

Rge 21E B.M.

BIG LOST RIVER

CUSTER County

SW1/4SW1/4NW1/4

Sec. 27,

Twp 08N,

Rge 22E B.M.

(Injection)

BIG LOST RIVER

CUSTER County

SE1/4SE1/4SW1/4

Sec. 26,

Twp 08N,

Rge 22E B.M.

(Rediversion)

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

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**

Current Water Right No.: 34-699b

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

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

0.16 CFS

Annual Volume

STOCKWATER

1/01 to 12/31

0.02 CFS

Total Diversion

0.16 CFS

Location of Point(s) of Diversion

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

BIG LOST RIVER

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

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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Conditions of Approval:

1. WATER IS DELIVERED THROUGH NEILSEN DITCH.
STOCKWATER, 500 RANGE CATTLE
2. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM
SPRINGS CREEK.
3. 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.
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. 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.
6. 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, 34-00584D, 34-00702B
34-00703B AND 34-00704B.
7. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER
USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
8. USE OF THIS RIGHT WITH RIGHT NOS. 34-00573B, 34-00583B, 34-
00584D 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, 34-00584D, 34-00702B,
34-00703B AND 34-00704B.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
9. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

Decreed Date: 2/13/2002

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

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**

Current Water Right No.: 34-702b

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

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

0.426 CFS

Annual Volume

STOCKWATER

1/01 to 12/31

0.02 CFS

Total Diversion

0.426 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

SE1/4SE1/4SW1/4

Sec. 26,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Rediversion)

BIG LOST RIVER

SW1/4SW1/4NW1/4

Sec. 27,

Twp 08N,

Rge 22E B.M.

CUSTER County

(Injection)

Place of UseIRRIGATION 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

Conditions of Approval:

1. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
2. WATER IS DELIVERED THROUGH NEILSEN DITCH.
STOCKWATER, 500 RANGE CATTLE
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-00573B, 34-00583B, 34-00584D AND 34-00699B 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, 34-00584D, 34-00699B, 34-00703B AND 34-00704B.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 21.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. 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.
5. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
6. 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, 34-00584D, 34-00699B, 34-00703B AND 34-00704B.
7. 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.
8. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
9. 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.

Decreed Date: 2/13/2002

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

Current Water Right No.: 34-703b

Current Owner: NO ACCESS RANCH LLC

Priority Date: 6/1/1890

Origin: Water Right

Status: Active

Basis: Decreed

Source

WARM SPRINGS CREEK

Tributary

BIG LOST RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From To

05/01 to 10/15

01/01 to 12/31

Total DiversionDiversion Rate

1.4 CFS

0.02 CFS

1.4 CFS

Annual Volume

245 AF

6.7 AF

251.7 AF

Location of Point(s) of Diversion

WARM SPRINGS CREEK

CUSTER County

SE1/4NW1/4SE1/4

Sec. 34, Twp 08N, Rge 22E B.M.

WARM SPRINGS CREEK

CUSTER County

SE1/4NW1/4NW1/4

Sec. 36, Twp 08N, Rge 22E B.M.

Place of UseIRRIGATION Within CUSTER County

T08N R22E S35	SWNE	6.00	T08N R22E S35	SENE	39.00
T08N R22E S35	NESE	9.20	T08N R22E S35	SESE	7.00
T08N R22E S36	SWNW	39.00			

Total Acres: 100.2

STOCKWATER Within CUSTER County

T08N R22E S35	SWSE	T08N R22E S35	SESE
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Conditions of Approval:

1. N01 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, SO LONG AS THE QUANTITY DIVERTED AT THE POINT OF DIVERSION DOES NOT CONSTITUTE UNREASONABLE WASTE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.37 CFS AND A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 406.7 AF AT THE FIELD HEADGATE. COMBINED RIGHT NOS.: 34-573B, 34-583B, 34-584D, 34-699B, 34-702B, 34-703B, 34-704B.

3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
6. THE RIGHT HOLDER SHALL LEAVE 21 PERCENT OF THE WATER ASSOCIATED WITH THE WATER RIGHT(S) BEING TRANSFERRED IN THE UPPER FISH HATCHERY CANAL TO MITIGATE THE DIVERSION OF WATER AT THE NEW POINT OF DIVERSION IN THE SENWNW, S36, T08N, R22E, B.M.
7. STOCKWATER, 500 RANGE CATTLE
8. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
9. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 364.1 AF AT THE FIELD HEADGATE. COMBINED RIGHT NOS.: 34-703B, 34-704B
10. 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.
11. THIS APPROVAL IS SPECIFICALLY CONDITIONED UPON THE TERMS AND 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. THIS APPROVAL IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THAT STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.
12. 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.: 34-573B, 34-583B, 34-584D, 34-699B, 34-702B, 34-703B, 34-704B.
13. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-703B, 34-704B
14. RIGHTS 34-00703B AND 34-00704B SHALL NOT EXCEED A TOTAL COMBINED DIVERSION RATE OF 1.85 CFS OF WATER AT THE NEW POINT OF DIVERSION IN THE SENWNW, S36, T08N, R22E.

Decreed Date: 2/13/2002

**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

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

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

Current Water Right No.: 34-704b

Current Owner: NO ACCESS RANCH LLC

Priority Date: 5/1/1905

Origin: Water Right

Status: Active

Basis: Decreed

Source

WARM SPRINGS CREEK

Tributary

BIG LOST RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From To

05/01 to 10/15

01/01 to 12/31

Total Diversion

Diversion Rate

0.94 CFS

0.02 CFS

0.94 CFS

Annual Volume

350.7 AF

6.7 AF

357.4 AF

Location of Point(s) of Diversion

WARM SPRINGS CREEK

CUSTER County

WARM SPRINGS CREEK

CUSTER County

SE1/4NW1/4SE1/4

Sec. 34, Twp 08N, Rge 22E B.M.

SE1/4NW1/4NW1/4

Sec. 36, Twp 08N, Rge 22E B.M.

Place of Use

IRRIGATION Within CUSTER County

T08N R22E S35

SWNE

6.00

T08N R22E S35

SENE

39.00

T08N R22E S35

NESE

9.20

T08N R22E S35

SESE

7.00

T08N R22E S36

SWNW

39.00

Total Acres: 100.2

STOCKWATER Within CUSTER County

T08N R22E S35

SWSE

T08N R22E S35

SESE

Conditions of Approval:

1. STOCKWATER, 500 RANGE CATTLE
2. 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.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-00703B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100.2 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, 34-00584D, 34-00699B, 34-00702B AND 34-00703B.
4. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. 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, 34-00584D, 34-00699B, 34-00702B AND 34-00703B.
6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
7. 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.
8. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
9. 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.
10. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 2/13/2002

**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

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	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
<u>Total Diversion</u>		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

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

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

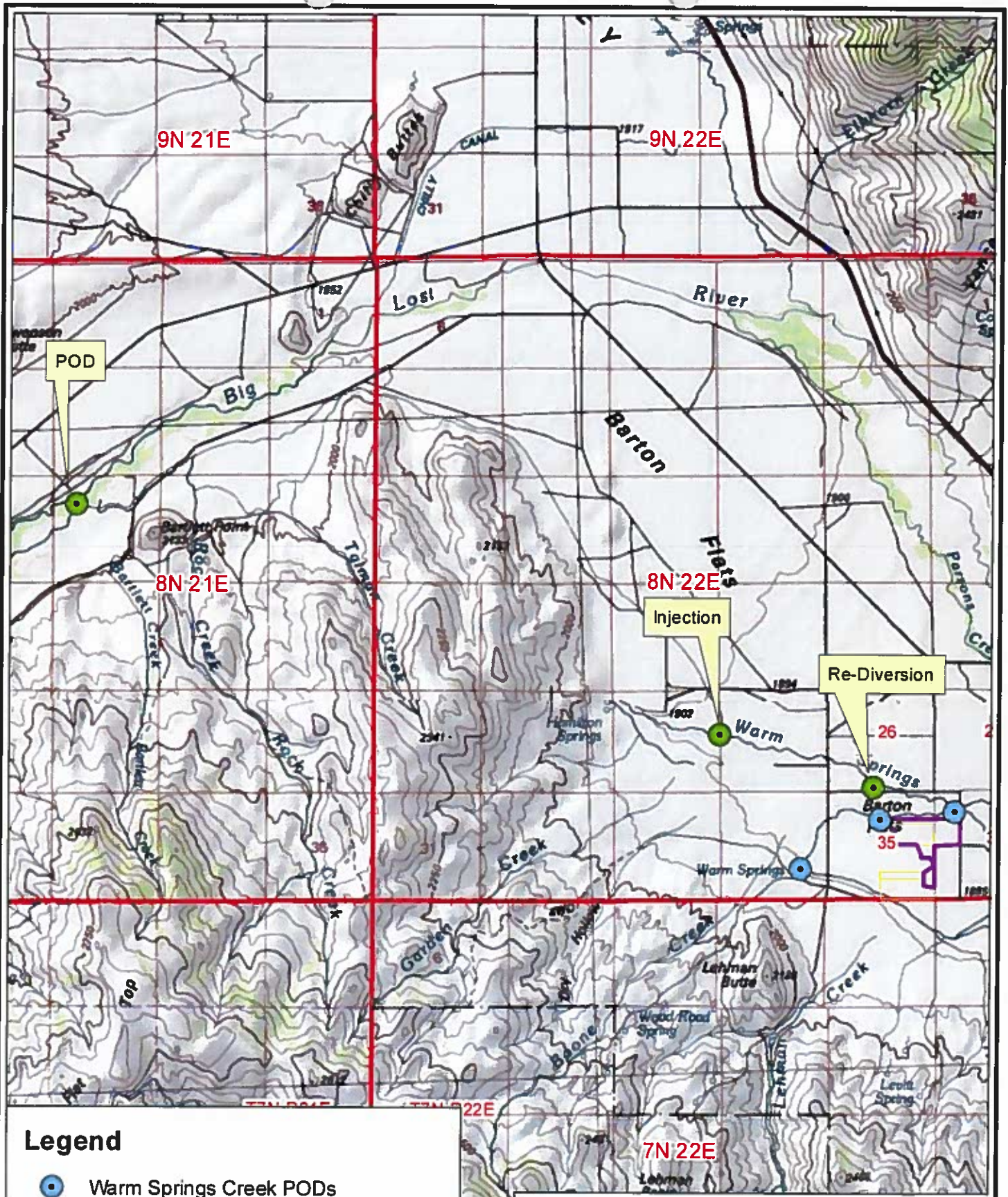
Idaho Cowboy Ranch Portion

1. amount 2.05 cfs (cfs/ac-ft) for Irrigation purposes from 5/1 to 10/15
 amount 0.01 cfs (cfs/ac-ft) for Stockwater purposes from 1/1 to 12/31
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	14.4
----------------------------------	------

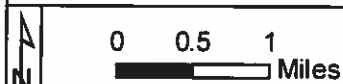
Total Acres (for irrigation use) 38.5



Legend

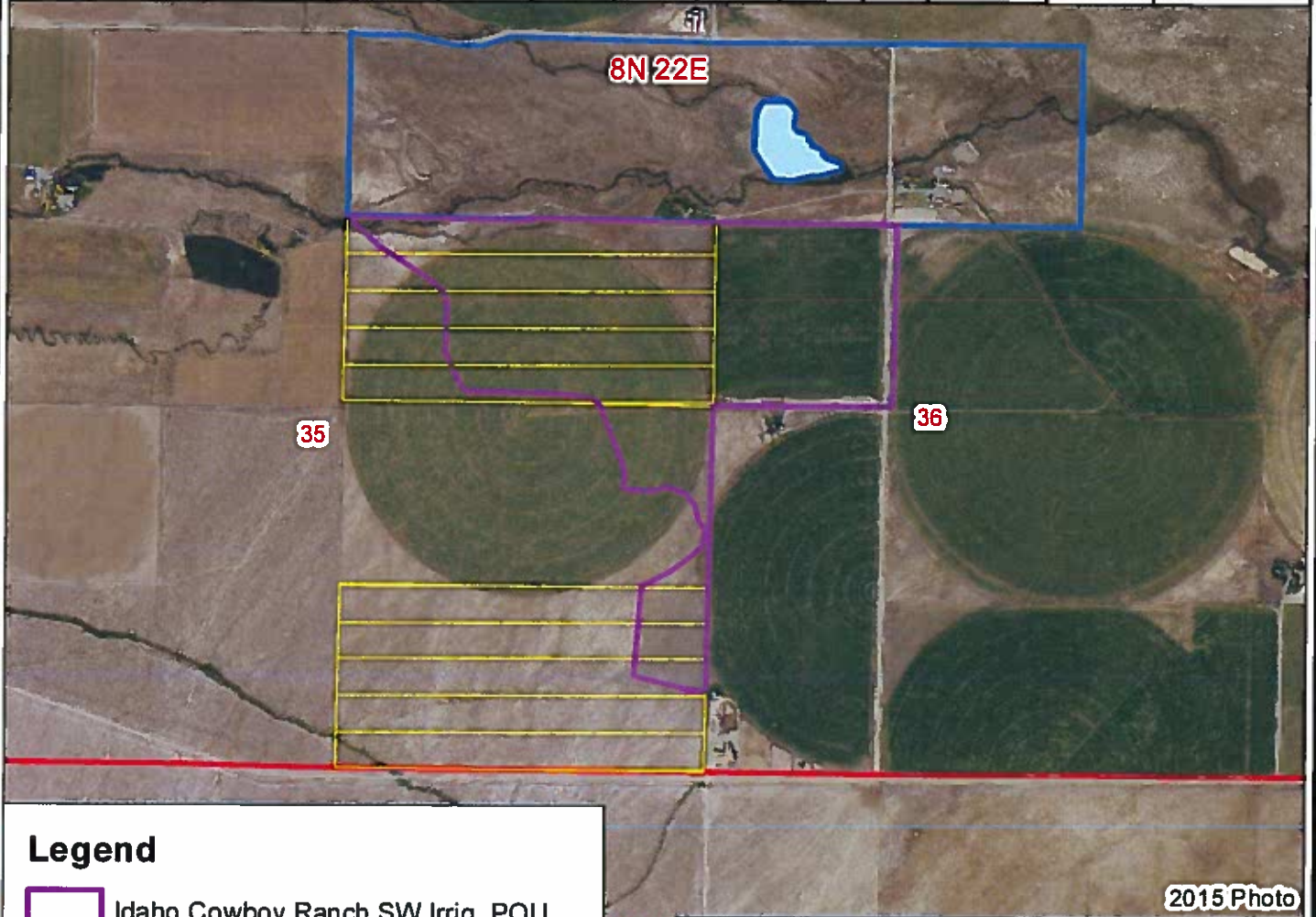
-  Warm Springs Creek PODs
-  Big Lost River PODs
-  Idaho Cowboy Ranch SW Irrig. POU
-  Idaho Cowboy Ranch Stockwater POU

Attachment 7A



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				
34-704B	Decree	Warm Springs Cr.	Irrigation, Stockwater	5/1/1905	0.94		357.4		0	100.2			
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

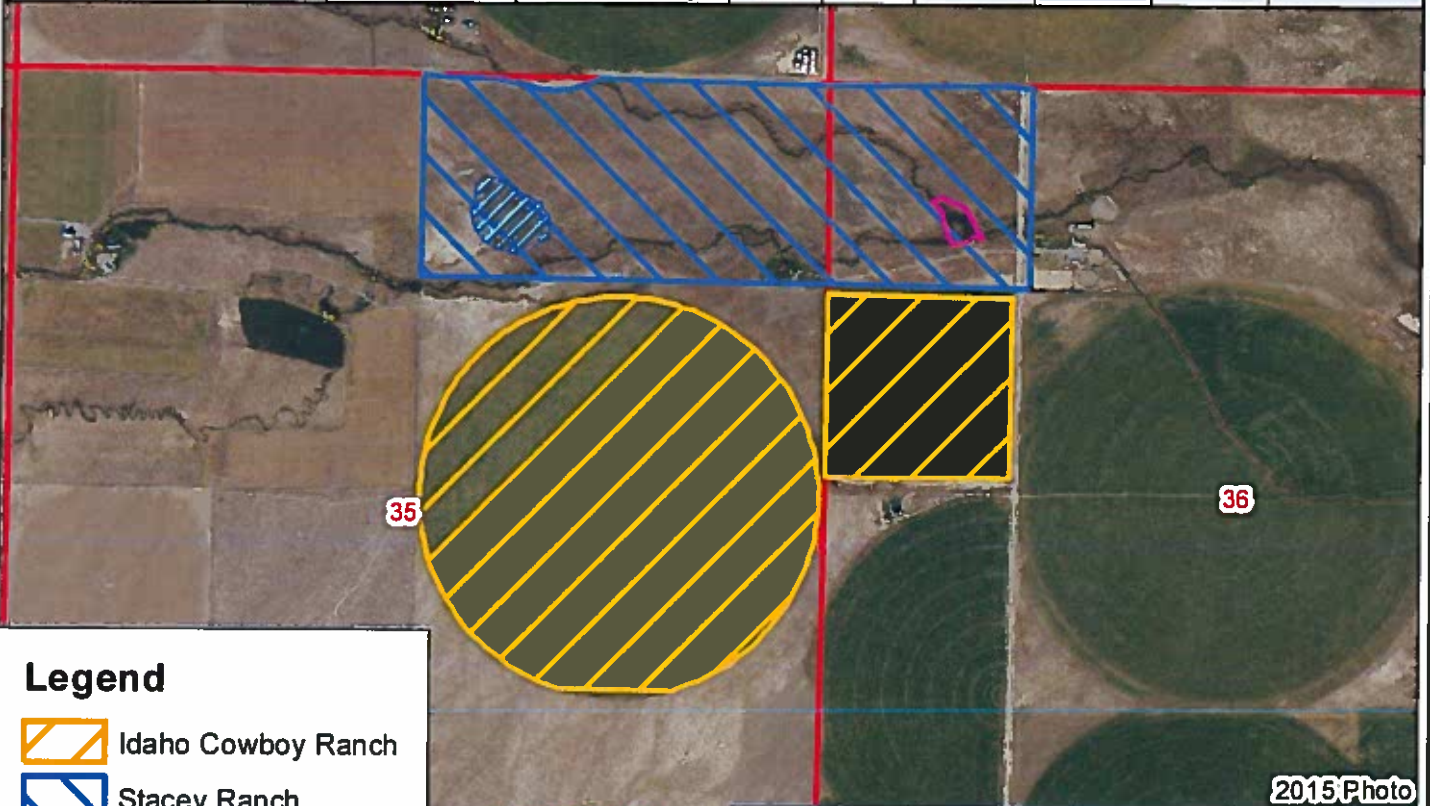
Attachment 7B1



81407

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		Yes		
34-704C	Decree	5/1/1905	Warm Springs Cr.	Irrigation	0.35	61.3	17.5	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		Stacey Ranch (113 acres)	
				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				
				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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**RECEIVED**
SEP 22 2016Department of Water Resources
Eastern Region

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 Attachments #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

RECEIVED

SEP 22 2016

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

Michael John, Manager
Print Name and Title if applicable

9/17/16
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**.
Permit 34-7595 proposes 156.2 acres irrigation with ground water and requires mitigation. The purpose of this transfer is to satisfy the permit's mitigation requirement by transferring an equivalent amount of senior surface water rights to the permit acres. This will allow the applicant flexibility to irrigate with surface water or ground water on the

156.2 acres.

Page 2

Receipt # E042449

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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 ☐ ☒	34-583B	0.04 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☒ ☐	34-699B	0.16 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	0.15 cfs	Irrigation	5/1 to 10/15	Big Lost R./Sinks
☒ ☐	34-703B	1.4/245	Irrigation	5/1 to 10/15	Warm Springs Cr/Big Lost
☐ ☐		0.02/6.7	Stockwater	1/1 to 12/31	Warm Springs Cr/Big Lost
☐ ☒	34-703C	0.77/134.7	Irrigation	5/1 to 10/15	Warm Springs Cr/Big Lost
☒ ☐	34-704B	0.94/350.7	Irrigation	5/1 to 10/15	Warm Springs Cr/Big Lost
☐ ☐		0.02/6.7	Stockwater	1/1 to 12/31	Warm Springs Cr/Big Lost

Total authorized under rights 3.46 cfs and/or 748.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 3.46 cubic feet per second and/or 748.8 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			31	31									31	31			124
		36							32.2										32.2
Total Acres (for irrigation use)																			156.2

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:

SW: 34-573B, 34-584D, 34-702B, 34-700C, 34-701C, 34-702C, 34-704C; GW: 34-7595 (pmt), 34-13789 (app)

When combined, all the surface water rights are limited to 269.2 acres irrigation that are proposed for redistribution into three separate systems. This transfer application represents 156.2 of those acres. The remaining

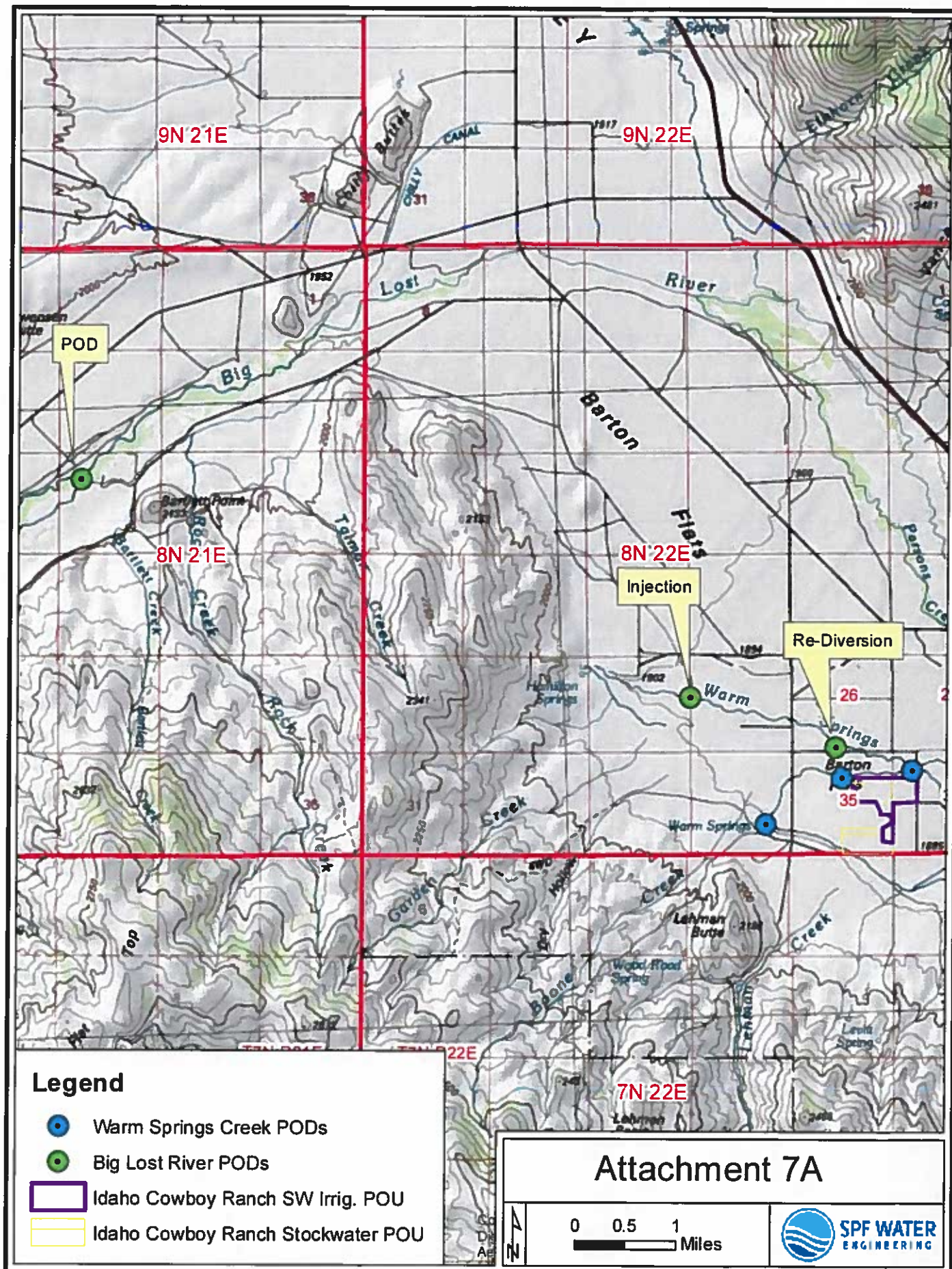
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed: acres are covered on two accompanying transfer applications.

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?

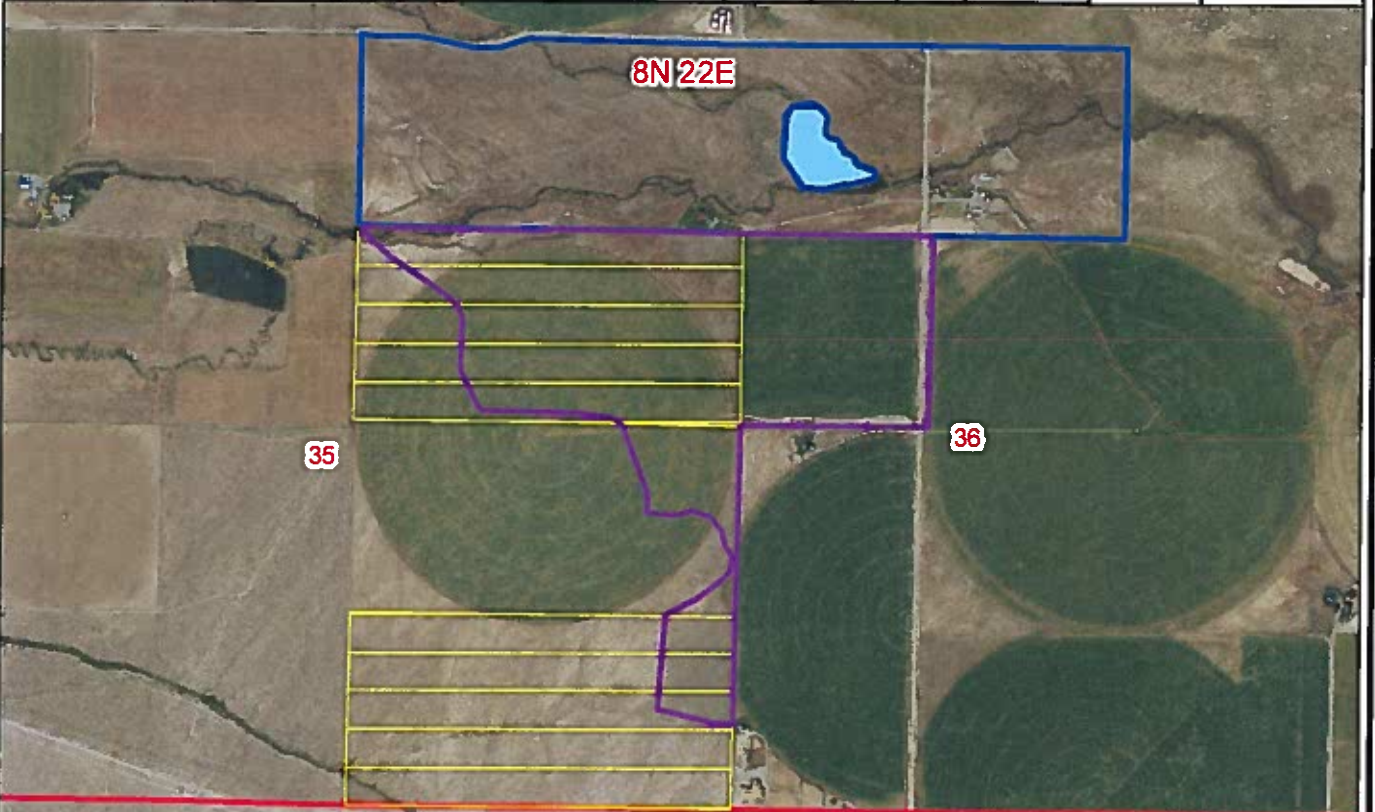
If yes, describe:

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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

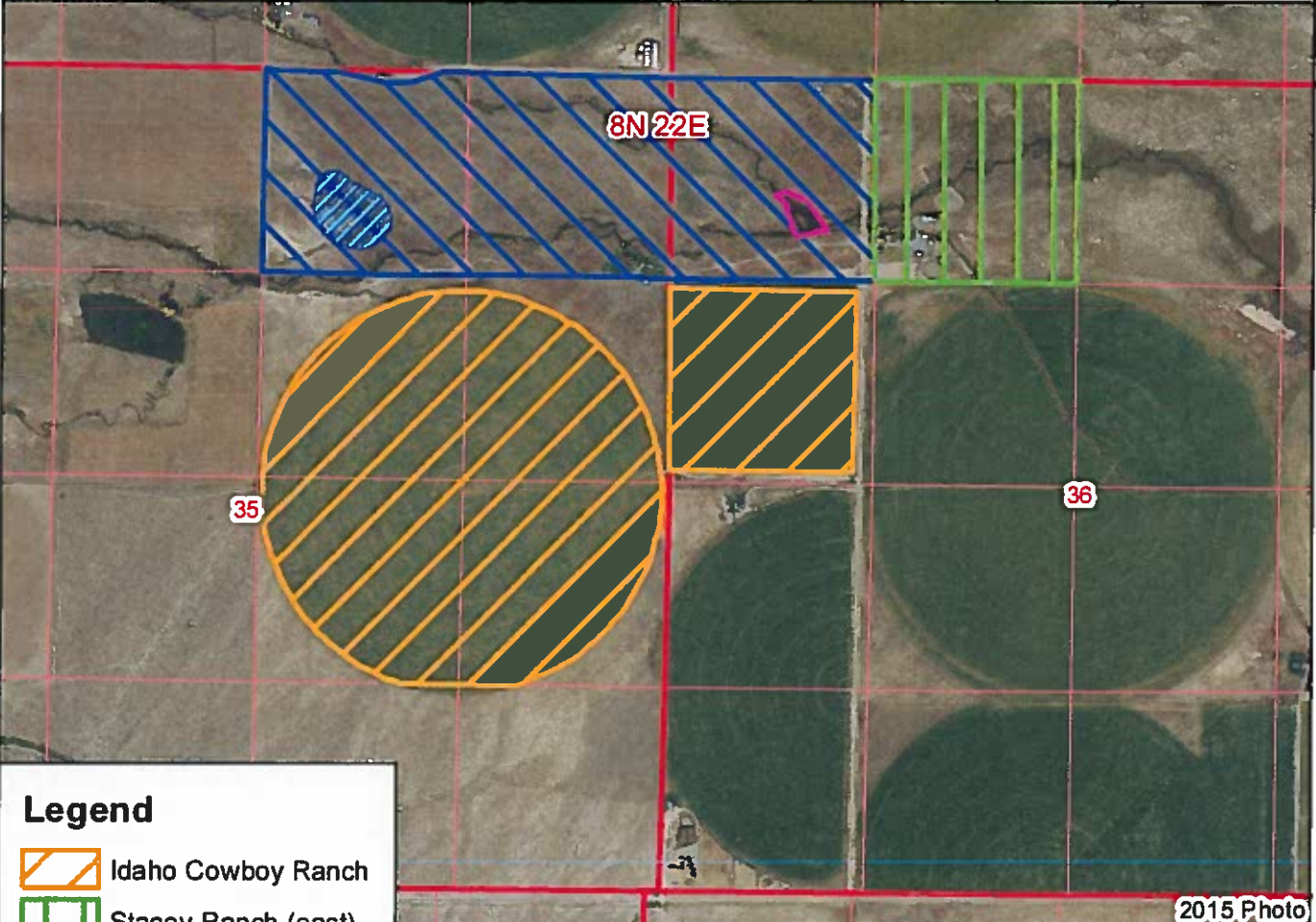
Attachment 7B1



81407

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	8/1/1899	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	8/1/1885	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	8/1/1890	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	5/13/1912	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



2015 Photo

Legend

-  Idaho Cowboy Ranch
-  Stacey Ranch (east)
-  Stacey Ranch (west)
-  Existing Pond POU
-  Proposed Pond POU

Attachment 7B2

