

RECEIVED

DEC 21 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80481MINIMUM 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) Sand Springs LPCheck 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

RECEIVED

DEC 21 2015

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGIONName of Applicant(s) Sand Springs LP Phone 208-733-0700Mailing address P.O. Box 8, Dundee, IL 60118 PO Box 9 - see address Email pla@idahowaters.com

change received 8/26/2016

- ☐ 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 RepresentativeName of Representative Paul L. Arrington, Barker Rosholt & Simpson Phone 208-733-0700Mailing address 195 River Vista Place #204, Twin Falls, Idaho 83301 Email pla@idahowaters.com
PO Box 63, Twin Falls ID 83303 (as of 5/25/2016)

- ☐ 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

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- 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.
Change the place of use of authorized wildlife storage under water right no. 36-15160 to reflect actual location of Sand Springs Creek. Points of diversions have been updated on the map, but are within the decreed quarter-quarter so no change to the water right points of diversion is required.

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 ☒ ☐	36-15160	-- / 60 afa	Wildlife Storage	1/1 to 12/31	Springs & Sand Springs Ck
☐ ☐				to	Sand Springs Ck & Snake
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights -- cfs and/or 60 acre-feet.

2. Total amount of water proposed to be transferred or changed -- cubic feet per second and/or 60 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	
8S	14E	16												W			W		
8S	14E	17																W	
8S	14E	20	W																
8S	14E	21		W			W	W	W	W									
Total Acres (for irrigation use)																			

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:

Sources for this right are springs tributary to Sand Spring Creek and Sand Springs Creek. Water has been impounded for wildlife storage in ponds for duck and geese habitat. Ponds are located on stream, no measuring device are installed.

- b. Who owns the property at the point(s) of diversion? Applicant

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:

- 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:

None

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 36-15160

Current Owner: SAND SPRINGS LP

Priority Date: 1/1/1942

Origin: Water Right

Status: Active

Basis: Decreed

Source

SAND SPRINGS CREEK
SPRINGS

Tributary

SNAKE RIVER
SAND SPRINGS CREEK

Beneficial Use

WILDLIFE STORAGE

From To

1/01 to 12/31

Total Diversion

Diversion Rate

Annual Volume

60 AF

60 AF

Location of Point(s) of Diversion

SAND SPRINGS CREEK
GOODING County

SE1/4SE1/4SE1/4 Sec. 17, Twp 08S, Rge 14E B.M.

SAND SPRINGS CREEK
GOODING County

SW1/4NW1/4NW1/4 Sec. 21, Twp 08S, Rge 14E B.M.

SPRINGS
GOODING County

SW1/4SW1/4SE1/4 Sec. 16, Twp 08S, Rge 14E B.M.

SPRINGS
GOODING County

NW1/4NW1/4NW1/4 Sec. 21, Twp 08S, Rge 14E B.M.

Place of Use

WILDLIFE STORAGE Within GOODING County

T08S R14E S16	SESW
T08S R14E S17	SESE
T08S R14E S21	NWNW
T08S R14E S21	SENW

T08S R14E S16	SWSE
T08S R14E S20	NENE
T08S R14E S21	SWNW

Conditions of Approval:

1. SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO SAND SPRINGS CREEK AND SAND SPRINGS CREEK TRIBUTARY TO SNAKE RIVER.
WILDLIFE STORAGE, 4 PONDS FOR DUCK & GEESE HABITAT

Decreed Date: 12/29/1997

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 right(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

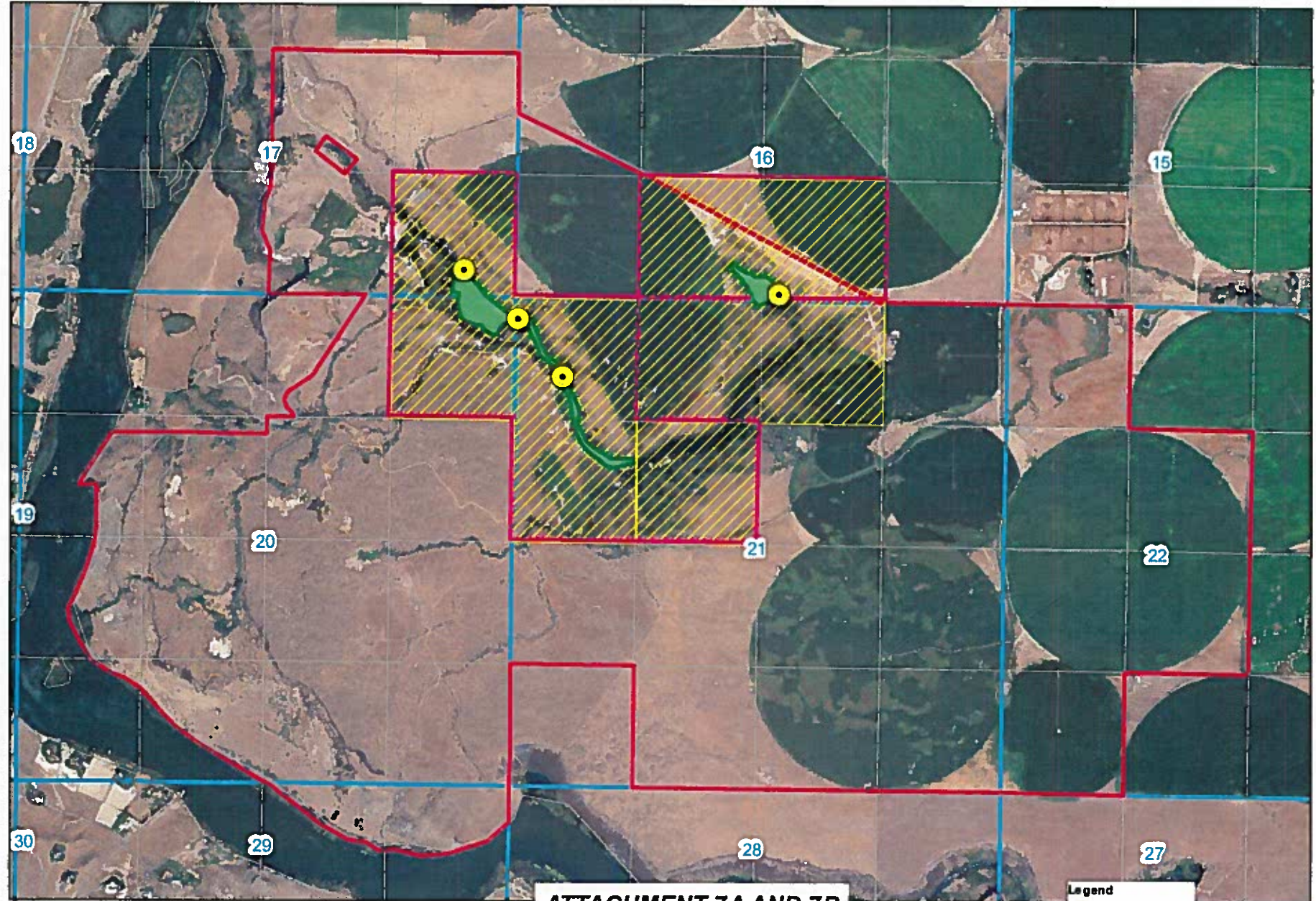
Transfer contains _____ pages and _____ attachments.

Received by DM Date 12.21.2015 Preliminary check by _____ Date _____

Fee paid _____ Date _____ Received by _____ Receipt # _____

Add'l fee paid \$180- Date 12.21.2015 Received by DM Receipt # 5035163

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



ATTACHMENT 7A AND 7B
SAND SPRING RANCH
WATER RIGHT NO. 36-15160
NAIP 2013 AERIAL

- Legend**
- POD 36-15160
 - Year Round Ponds
 - Current 36-15160 POU
 - Proposed 36-15160 POU
 - Sand Springs Ranch

TRANSFER 80481

0 560 1,100 2,200 Feet

BROCKWAY ENGINEERING, PLLC.
ALR -Date: 11/18/2015

RECEIVED

DEC 21 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Narrative in support of Sand Springs LP Transfer and Permit Applications
Sand Springs, LP
Brockway Engineering, PLLC
November 18, 2015

This narrative has been prepared to support and explain the proposed transfer and permit applications filed on behalf of Sand Springs LP. Sand Springs LP owns and operates a working ranch and wildlife facility in Gooding County, Idaho, specifically within sections 16, 17, 20, 21, 22, and 29, Township 8 South, Range 14 East, Boise Meridian. Sand Springs LP wishes to adjust water right no. 36-15160 through the transfer process to reflect how the water right has been used on their property through a transfer. A second transfer will modify a portion of water right no. 36-16858 from irrigation to wildlife storage and diversion to storage to mitigate for pond evaporation during the pond group season of use and the seasonal fill of the specific pond groups. Two permit applications have been prepared for new non-consumptive water rights to mitigate for seepage from the ponds and to allow surface water flow through the ponds. All naturally filling ponds are naturally low depressions and no earth work or dams will be constructed. The locations were identified as areas that fill with water during high rain events.

For clarity, we have divided the existing and proposed ponds into different groups: Green Group, Red Group, Tan Group, Blue Group, Purple Group, and Yellow Group. Figure 1 is a map and Table 1 contains details of the ponds that currently exist or will be created as a result of these applications. The ponds groups are described in additional detail below:

Green Group: Ponds within the Green Group are in-stream ponds on Sand Springs Creek. These ponds are covered under water right no. 36-15160.

Red Group: Ponds within the Red Group are ponds that fill naturally during the irrigation season from irrigation water diversions from Sand Springs Creek. Waste water from irrigation diversions naturally fill the Red Group during the irrigation season and water returns to the Snake River. Evaporation during the irrigation season is covered under the irrigation water right. Evaporation during the non-irrigation season will be mitigated by Transfer 2. Seasonal fill mitigation is not required because these low areas fill naturally from the irrigation water. Seepage from the ponds will be mitigated with a new groundwater permit during the non-irrigation season only.

Tan Group: Ponds within the Tan Group are ponds that fill naturally from Little Sand Springs Creek. Little Sand Springs Creek historically has filled and maintained these ponds, and their existence is dependent upon the flow from Little Sand Springs Creek. Little Sand Springs Creek sinks into the ground, and there is no surface water return to either Sand Springs Creek or the Snake River. These ponds are included in the groundwater permit application to ensure the ponds will stay full during the period of use from 10/15 through 2/15, meaning the seepage will be mitigated by groundwater pumping. The pond evaporation is mitigated through Transfer 2, in the event that the seepage rate is higher than Little Sand Springs flow, increased evaporation may occur and is mitigated.

Blue Group: Ponds within the Blue Group are new seasonal ponds that will be created after the approval of these transfers and permit applications. These ponds will be supplied water from Sand Springs Creek to fill the pond and provide flow through, which

will return to Sand Springs Creek. Seasonal fill and evaporation will be mitigated by Transfer 2. Seepage from the ponds will be mitigated with the new groundwater permit.

Purple Group: Ponds within the Purple Group are new seasonal ponds that will be filled after the approval of these transfers and permit applications. These ponds will be supplied water from Sand Springs Creek to fill the ponds and provide flow through, which will return to the Snake River. Seasonal fill and evaporation will be mitigated by Transfer 2. Seepage from the ponds will be mitigated with the new groundwater permit.

Yellow Group: Ponds within the Yellow Group are new seasonal ponds that will be filled after the approval of these transfers and permit applications. These ponds will be supplied water from Sand Springs Creek to fill the ponds and provide flow through, which will return to the Snake River. Seasonal fill and evaporation will be mitigated by Transfer 2. Seepage from the ponds will be mitigated with the new groundwater permit.

Transfer 1: Adjust the place of use for water right no. 36-15160

Water right no. 36-15160 is a wildlife storage right with a priority date of 1/1/1942 which authorizes the right holder to use water in 4 ponds for duck and geese habitat throughout the year (1/1 – 12/31). The storage volume of the ponds under this right is limited to 60 acft. This transfer seeks to adjust the place of use to include the storage pond located on Sand Springs Creek (Green Group), as decreed under this right. Transfer 1 will cover the year round ponds, as shown in Table 1 under Green Group.

When water right no. 36-15160 was issued, IDWR did not evaluate ponds to include seepage loss, therefore, it is presumed that all aspects of these ponds will be covered under the existing right and the seepage volume will not require mitigation. The majority of the seepage calculated is occurring in pond B, which is within the current place of use.

The points of diversion identified in the IDWR shapefile are within the correct quarter-quarter, but are not in the correct location. We have adjusted these points of diversion on the transfer map. This transfer is not seeking the change the points of diversion, because the points of diversion are correct in the water right description. The points of diversion should be adjusted in the IDWR shapefile within the correct quarter-quarter.

Transfer 2: Transfer part of water right no. 36-16858 to cover seasonal fill and evaporation from remaining ponds

Water right no. 36-16858 is a 11/5/1915 right from Sand Springs Creek with an irrigation rate of 2.56 cfs from 3/15 to 11/15 for 128.1 acres and a year round stockwater component. The intent of this transfer is to change the nature of use of a portion of this right from irrigation to wildlife storage and diversion to storage in order to mitigate for pond evaporation and seasonal fill.

Season fill mitigation is required for ponds within the Blue, Purple, and Yellow Groups, which is 5.7-acft. Evaporation mitigation is required for ponds within the Tan, Blue, Purple, and Yellow Groups during the period of use from 10/15 through 2/15, which is 2.7-acft, based on Allen and Robison (2012) open water, shallow system ponds at Hagerman, Idaho. Evaporation mitigation is required for ponds with the Red Group during the non-irrigation period from 11/15 – 2/15, which is 0.1-acft, based on Allen and Robison (2012) open water, shallow system ponds at Hagerman, Idaho. ET-Idaho data suggests ET as a

negative value (precipitation is greater than evaporation) for December and January. For those two months, we assumed ET to be zero, or in other words, no seasonal precipitation credit was included.

The minimum volume to dry up is 8.5-acft. The ET-Idaho (Allen and Robison, 2012) published consumptive use value for low maintenance grass pasture in Hagerman, Idaho is 2.91 ft/acre of water. Therefore, to mitigate for 8.5-acft of water, Sand Springs LP must dry up 2.9 acres. Unfortunately, that only equates to 0.06 cfs of flow. The applicant wishes to fill the ponds up in approximately 10 days. The total volume of seasonal fill (Blue and Purple Groups) is 5.7-acft. In order to fill these ponds within 10 days, a minimum of 0.29 cfs will be required. The duty of water for water right no. 36-16858 is 0.01998 cfs/acre, which means that the applicant will dry up 15 acres.

Drying up 15 acres of irrigation will give the applicant sufficient mitigation volume (43.7 acft) to cover the seasonal fill mitigation requirement (5.7 acft) and evaporation mitigation requirement (2.8 acft), while providing sufficient flow rate to fill all of the pumped ponds within 10 days (0.30 cfs).

Permit Application 1: New non-consumptive groundwater right to mitigate for pond seepage from seasonal ponds

IDWR requires land owners to mitigate for seepage from ponds. Since seepage water returns to the aquifer, the applicant is seeking a new groundwater right, which will be non-consumptive, to fully mitigate for the pond seepage. The source of the new permit will be groundwater and the seepage will return to groundwater near the point of diversion. No ESPA modeling analysis was performed, because the proposed point of diversion and the seepage locations are in close proximity.

Seepage volumes were determined by using the NRCS (2015) soil classifications and average infiltration rates published by the NRCS (2015). The soils are classified as Loamy Fine Sand or Very Fine Sandy Loam. These soils typically have higher infiltration rates. However, the NRCS identifies that this ground usually has a hard cement (caliche) layer that impedes infiltration. The infiltration rates identified by the NRCS are between 0 and 0.06 in/hr. One pond (Pond 18) had a slightly higher infiltration rate, as identified. Using the average seepage rate of 0.03 in/hr, the seasonal ponds in the Tan, Blue, Purple, and Yellow Groups have a total seepage volume of 131.4 acft or a constant flow rate of 0.54 cfs from 10/15 through 2/15. The ponds within the Red Group have a total seepage volume of 48.6 acft or a constant flow rate of 0.27 cfs from 11/15 through 2/15.

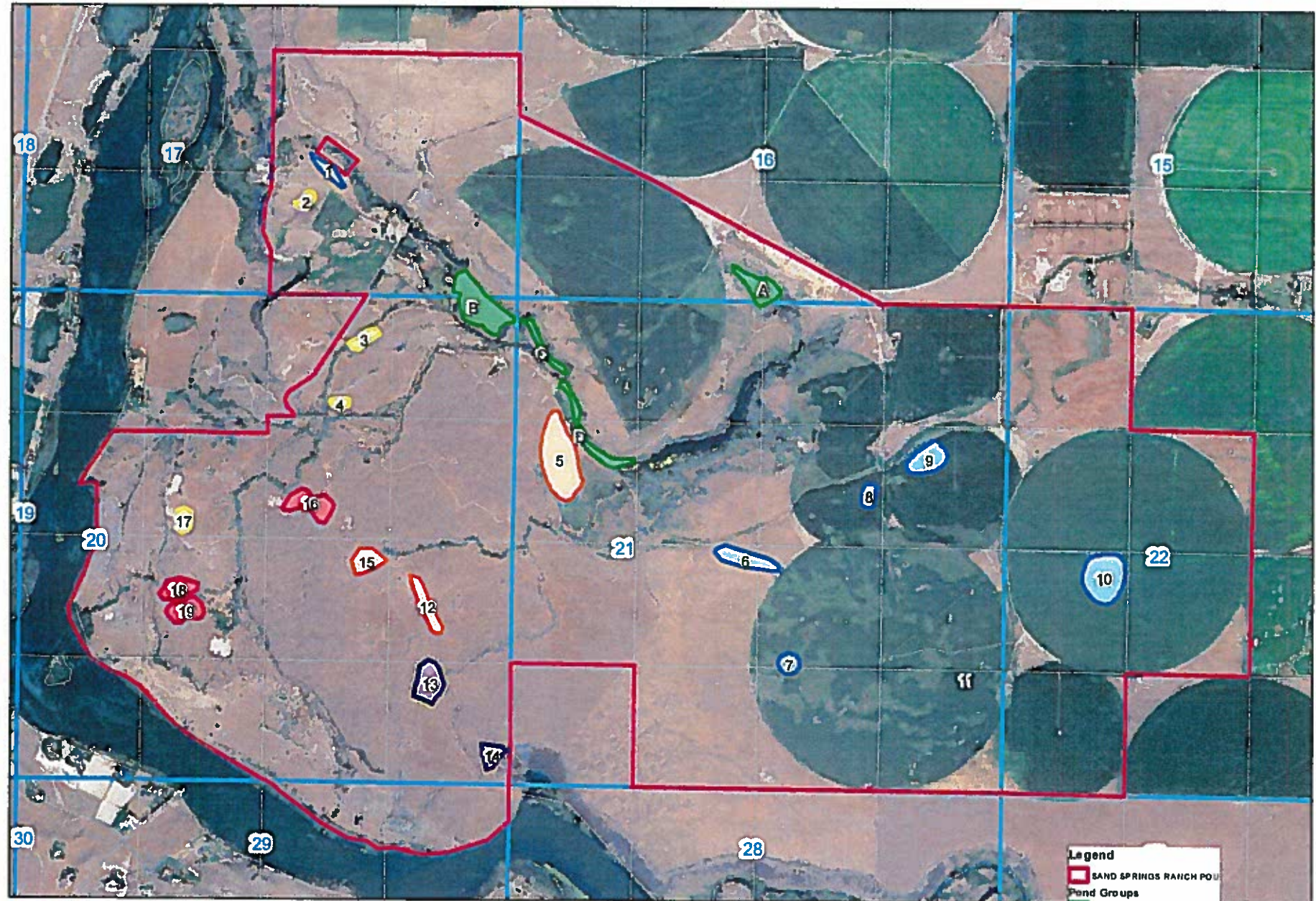
For the purpose of the permit application, we have increased the seepage rate to approximately 3 times these values serve as a factor of safety and to compensate for any local abnormalities that may result in higher seepage rates. Therefore, the permit application is for a constant flow rate of 1.62 cfs during the period of use from 10/15 through 11/14 (For the Tan, Blue, Purple, and Yellow Groups). Starting on 11/15 through 2/15, the permit application is for a constant flow rate of 2.43 cfs (for the Red, Tan, Blue, Purple, and Yellow Groups).

Permit Application 2: New non-consumptive surface water right for pond flow through

The final application is for a new non-consumptive surface right from Sands Springs Creek to authorize flow through the ponds to keep the ponds fresh. This new permit will divert water from Sand Springs Creek where Sand Springs LP has an irrigation water rights diversion. The period of use of this diversion is between 10/15 to 2/15 for the Blue, Purple, and Yellow Groups and 11/15 to 2/15 for the addition of

the Red Group. Diverted water will flow through the pond system before returning to Sand Springs Creek or the Snake River.

Idaho Power Co. does have a hydroelectric power right down stream on Sand Springs Creek, and it is understood that diversion of this surface water right will be contingent upon Idaho Power having sufficient flow or allowing diversion to occur. From 10/15 to 11/15, the flow through diversion will be 2.87 cfs. From 11/15 to 2/15, the flow through diversion under this permit will be 6.40 cfs.



0 550 1,100 2,200 Feet

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 12/1/2015

FIGURE 1: SAND SPRING RANCH
OVERVIEW OF PROJECT
NAIP 2013 AERIAL

- Legend**
- SAND SPRINGS RANCH PO
 - Pond Groups**
 - Year Round Ponds
 - Pumped Ponds
 - L Sand Springs Creek Ponds
 - Pumped Ponds
 - Ingoton Filed Ponds
 - Pumped Ponds



Table 1: Ponds on Sand Springs Ranch

Pond Evaluation for Transfers

Brockway Engineering, PLLC

GEP - 7/9/2015

Green Group Covered by Water Right No. 36-15160**Fill:** NA**Evaporation:** NA**Seepage:** NA**Flow Through:** NA**Return:** NA

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Fill Volume (acft) ^b	Seepage (acft) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
A	Year Round	3.2	6.2	19.9	9.0	0.5	19.9	46.5	23.6
B	Year Round	5.4	4.1	22.1	15.2	0.8	22.1	899.4*	456.6*
C	Year Round	1.0	5.1	5.1	2.8	0.2	5.1	14.5	7.4
D	Year Round	2.1	6.0	12.6	5.9	0.3	12.6	30.5	15.5
Total					32.9	1.8	59.7	990.9	503.1

Red Group Natural ponds filling from irrigation diversions during the irrigation season**Fill:** No mitigation required**Evaporation:** Transfer mitigates for evaporation from 11/15 - 2/15**Seepage:** New groundwater permit mitigates seepage from 11/15 - 2/15**Flow Through:** New surface water permit for flow through from 11/15 - 2/15**Return:** Flow through water returns to the Snake River

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Seasonal Fill (acft) ^b	Seepage (acft/year) ^c	
					2/15 - 11/15	11/15 - 2/15		2/15 - 11/15	11/15 - 2/15
16	Seasonal	3.2	1.0	3.2	0.0	0.1	3.2	0.0	17.8
18	Seasonal	1.7	0.5	0.8	0.0	0.0	0.8	0.0**	25.3**
19	Seasonal	1.0	3.0	3.0	0.0	0.0	3.0	0.0	5.5
Total					0.0	0.1	7.0	0.0	48.6

Tan Group Natural ponds filling from Little Sand Springs Creek**Fill:** No mitigation required**Evaporation:** Transfer mitigates for evaporation from 10/15 - 2/15**Seepage:** New groundwater permit mitigates seepage from 10/15 - 2/15**Flow Through:** No flow through**Return:** No Return

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Seasonal Fill (acft) ^b	Seepage (acft/year) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
5	Seasonal	5.0	0.5	2.5	0.0	0.8	2.5	0.0	36.9
12	Seasonal	1.5	0.5	0.8	0.0	0.2	0.8	0.0	11.1
15	Seasonal	2.0	1.0	2.0	0.0	0.3	2.5	0.0	14.8
Total					0.0	1.3	5.7	0.0	62.7

Blue Group New ponds
Fill: Fill from Sand Springs Creek, transfer mitigates for a 10-day fill
Evaporation: Transfer mitigates for evaporation from 10/15 - 2/15
Seepage: New groundwater permit mitigates seepage from 10/15 - 2/15
Flow Through: New surface water permit for flow through from 10/15 - 2/15
Return: Flow through water returns to Sand Springs Creek

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Seasonal Fill (acft) ^b	Seepage (acft/year) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
1	Seasonal	0.4	0.5	0.2	0.0	0.1	0.2	0.0	2.7
6	Seasonal	0.7	1.0	0.7	0.0	0.1	0.7	0.0	5.2
7	Seasonal	0.5	1.0	0.5	0.0	0.1	0.5	0.0	3.7
8	Seasonal	0.5	1.0	0.5	0.0	0.1	0.5	0.0	3.7
9	Seasonal	3.0	0.5	1.5	0.0	0.5	1.5	0.0	22.1
10	Seasonal	1.0	0.5	0.5	0.0	0.2	0.5	0.0	7.4
11	Seasonal	0.7	0.5	0.3	0.0	0.1	0.3	0.0	4.9
Total					0.0	1.0	4.2	0.0	49.7

Purple Group New ponds
Fill: Fill from Sand Springs Creek, transfer mitigates for a 10-day fill
Evaporation: Transfer mitigates for evaporation from 10/15 - 2/15
Seepage: New groundwater permit mitigates seepage from 10/15 - 2/15
Flow Through: New surface water permit for flow through from 10/15 - 2/15
Return: Flow through water returns to the Snake River

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Seasonal Fill (acft) ^b	Seepage (acft/year) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
13	Seasonal	0.4	0.5	0.2	0.0	0.1	0.2	0.0	2.8
14	Seasonal	0.3	0.5	0.2	0.0	0.0	0.2	0.0	2.4
Total					0.0	0.1	0.4	0.0	5.2

Yellow Group New ponds
Fill: Fill from Sand Springs Creek, transfer mitigates for a 10-day fill
Evaporation: Transfer mitigates for evaporation from 10/15 - 2/15
Seepage: New groundwater permit mitigates seepage from 10/15 - 2/15
Flow Through: New surface water permit for flow through from 10/15 - 2/15
Return: Flow through water returns to the Snake River

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Seasonal Fill (acft) ^b	Seepage (acft/year) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
2	Seasonal	0.1	1.0	0.1	0.0	0.0	0.1	0.0	0.5
3	Seasonal	0.4	1.0	0.4	0.0	0.1	0.4	0.0	2.7
4	Seasonal	0.3	0.5	0.2	0.0	0.1	0.2	0.0	2.4
17	Seasonal	1.1	0.5	0.6	0.0	0.2	0.6	0.0	8.2
Total					0.0	0.3	1.2	0.0	13.9

^a Evaporation based on surface area of pond and Hagerman Open Water - Shallow System (Ponds, Streams) Estimate evaporation (Allen and Robison, 2012). Negative evaporation during Dec and Jan was not included, but assumed to be zero.

^b Fill volumes are estimates of the pond volume. Year round ponds do not need mitigation because they are covered under water right 36-15160. Natural filling ponds also do not need mitigation. Remaining seasonal ponds must be mitigated annually.

^c Seepage was calculated based on pond area and the reported infiltration rate by the NRCS (2015) for soils specific to this property. Most ponds had an average seepage rate of 0.03 in/hr, because of identified cement hardpan layers. Two ponds had soils with much higher seepage rates, as identified below

* Pond B has an average seepage rate of 0.34 in/hr

** Pond 18 has an average seepage rate of 0.08 in/hr

Table 2: Ponds on Sand Springs Ranch
Pond Evaluation for Transfers
Brockway Engineering, PLLC
GEP - 11/18/2015

Pond/Group	Year Round or Seasonal	Filling Source	Filling Method	Seepage	Flow Through	Flow Through Return
Green	Year Round	Sand Springs Creek	Natural	WR No. 36-15160	WR No. 36-15160	Sand Springs Creek
Blue	Seasonal (10/15 - 2/15)	Sand Springs Creek	Pumped	Groundwater Permit	Sand Springs Creek Permit	Sand Springs Creek
Tan	Seasonal (LSSC Dependant)	Little Sand Springs Creek	Natural	Groundwater Permit	Little Sand Springs Creek	Little Sand Springs Creek
Purple	Seasonal (10/15 - 2/15)	Sand Springs Creek	Pumped	Groundwater Permit	Sand Springs Creek Permit	Snake River
Red	Seasonal (11/15 - 2/15)	Sand Springs Creek	Natural	Groundwater Permit	Sand Springs Creek Permit	Snake River
Yellow	Seasonal (10/15 - 2/15)	Sand Springs Creek	Pumped	Groundwater Permit	Sand Springs Creek Permit	Sand Springs Creek

No. L 6713	Due no later than Aug 31, 2015 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed.		BRIAN BARSOTTI 215 PICABO ST STE 304 KETCHUM ID 83340			
	SAND SPRINGS LP CHARLES POTTER P.O. BOX 9 DUNDEE IL 60118		3. <u>New</u> Registered Agent Signature:*			
Office Held GENERAL PARTNER	Name CHARLES POTTER ACRE INVESTMENTS LLC	Street or PO Address P.O. BOX 9	City DUNDEE	State IL	Country USA	Postal Code 60118
5. Organized Under the Laws of: IL L 6713		6. Annual Report must be signed.* Signature: Charles Potter Name (type or print): Charles Potter Date: 08/06/2015 Title: General Partner				
Processed 08/06/2015		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 80481

RECEIVED

JUL 15 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

80481

MINIMUM 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) Sand Springs LPCheck 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

RECEIVED

JUL 15 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Sand Springs LP Phone 208-733-0700

Mailing address P.O. Box 8; Dundee, IL 60118 Email pla@idahowaters.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.

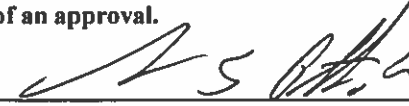
☐ No Representative

Name of Representative Paul L. Arrington Phone 208-733-0700

Mailing address 195 River Vista Place #204; Twin Falls, Idaho 83301 Email pla@idahowaters.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

Charles S. Pollock, Jr. - General
Print Name and Title if applicable

7/15/15
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**.
 Change the place of use of authorized wildlife storage under water right no. 36-15160.

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 ☒ ☐	36-15160	-- / 60 afa	Wildlife Storage	1/1 to 12/31	Springs & Sand Springs Ck
☐ ☐				to	Sand Springs Ck & Snake
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights — cfs and/or 60 acre-feet.

2. Total amount of water proposed to be transferred or changed — cubic feet per second and/or 60 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	
8S	14E	16												W			W		
8S	14E	17																W	
8S	14E	20	W																
8S	14E	21		W			W	W	W										
8S	14E	22										W							
Total Acres (for irrigation use)																			

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:
Sources for this right are springs tributary to Sand Spring Creek and Sand Springs Creek. Water has been diverted for wildlife storage in 4 ponds for duck and geese habitat. One pond will be eliminated and another pond added. Measuring device, if required, can be installed.

- b. Who owns the property at the point(s) of diversion? Applicant
 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:

- 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:
None

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

Yes No

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

If yes, describe:

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: _____

1. 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 _____
 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 ¼ ¼ tract.)

[illegible]

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

Current Water Right No.: 36-15160

Current Owner: SAND SPRINGS LP

Priority Date: 1/1/1942

Origin: Water Right

Status: Active

Basis: Decreed

Source

SAND SPRINGS CREEK
SPRINGS

Tributary

SNAKE RIVER
SAND SPRINGS CREEK

Beneficial Use

WILDLIFE STORAGE

From To

1/01 to 12/31

Total Diversion

Diversion Rate

Annual Volume

60 AF

60 AF

Location of Point(s) of Diversion

SAND SPRINGS CREEK
GOODING County

SE1/4SE1/4SE1/4 Sec. 17, Twp 08S, Rge 14E B.M.

SAND SPRINGS CREEK
GOODING County

SW1/4NW1/4NW1/4 Sec. 21, Twp 08S, Rge 14E B.M.

SPRINGS
GOODING County

SW1/4SW1/4SE1/4 Sec. 18, Twp 08S, Rge 14E B.M.

SPRINGS
GOODING County

NW1/4NW1/4NW1/4 Sec. 21, Twp 08S, Rge 14E B.M.

Place of Use

WILDLIFE STORAGE Within GOODING County

T08S R14E S16	SESW
T08S R14E S17	SESE
T08S R14E S21	NWNW
T08S R14E S21	SENW

T08S R14E S16	SWSE
T08S R14E S20	NENE
T08S R14E S21	SWNW

Conditions of Approval:

1. SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO SAND SPRINGS CREEK AND SAND SPRINGS CREEK TRIBUTARY TO SNAKE RIVER.
WILDLIFE STORAGE, 4 PONDS FOR DUCK & GEESE HABITAT

Decreed Date: 12/29/1997

**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 right(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.

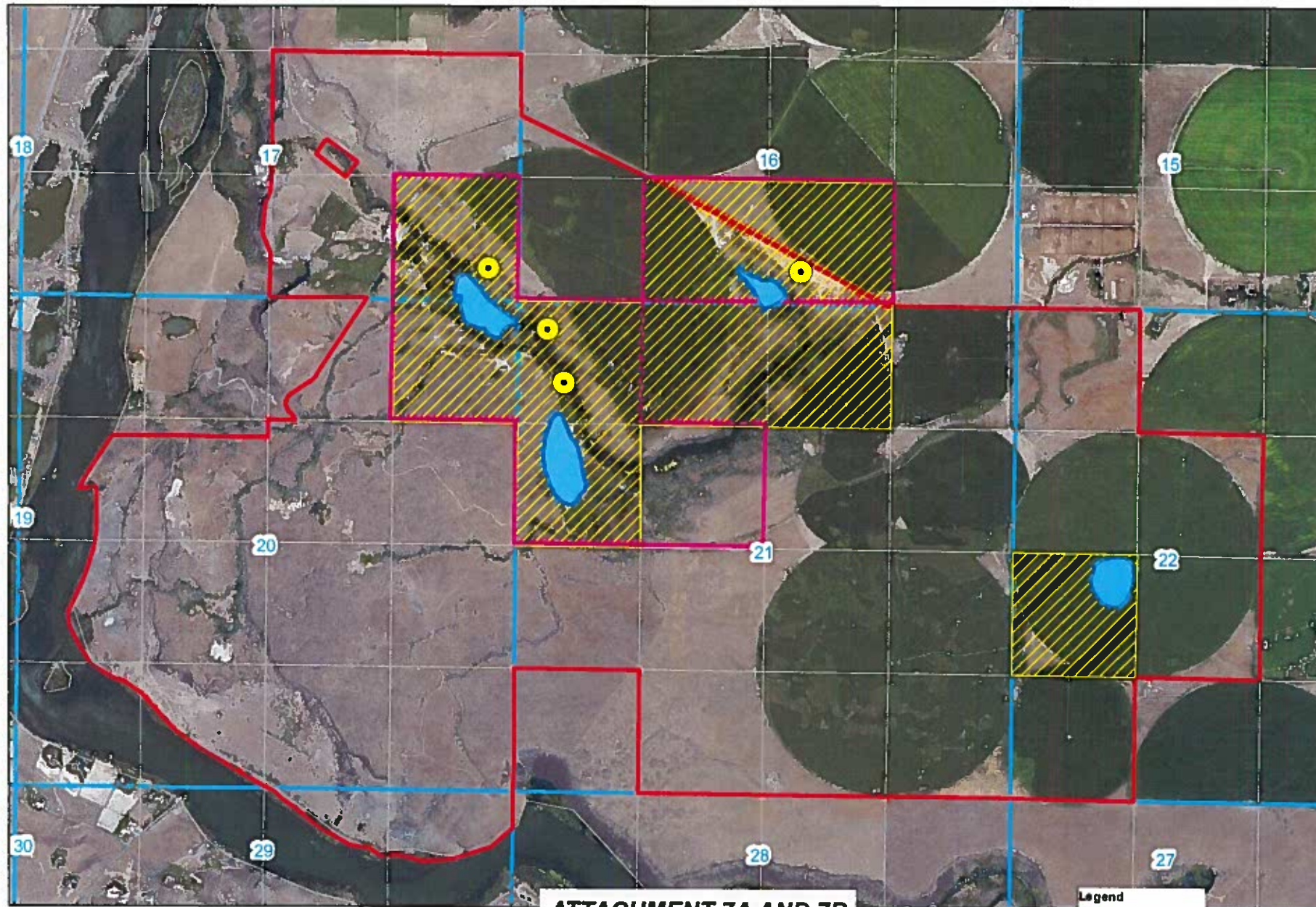
Received by Dm Date 7-15-2015 Preliminary check by _____ Date _____

Fee paid \$500- Date 7-15-2015 Received by DM Receipt # 5034906

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)

received 7/15 + receipted 7/16.



ATTACHMENT 7A AND 7B
SAND SPRING RANCH
 WATER RIGHT NO. 36-15160
 NAIP 2013 AERIAL

0 550 1,100 2,200 Feet

BROCKWAY ENGINEERING, PLLC.
 ALR -Date: 7/10/2015

- Legend**
- POU 36-15160
 - Ponds
 - Current 36-15160 POU
 - Proposed 36-15160 POU
 - Sand Springs Ranch



RECEIVED

JUL 15 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Narrative in support of Sand Springs LP Transfer and Permit Applications
Sand Springs, LP
Brockway Engineering, PLLC
July 9, 2015

This narrative has been prepared to support and explain the proposed transfer and permit applications filed on behalf of Sand Springs LP. Sand Springs LP owns and operates a working ranch and wildlife facility in Gooding County, Idaho, specifically within sections 16, 17, 20, 21, 22, and 29, Township 8 South, Range 14 East, Boise Meridian. Sand Springs LP wishes to adjust water right no. 36-15160 through the transfer process to reflect how the water right has been used and will create new wildlife ponds on their property through a transfer and new non-consumptive water rights, which are fully mitigated.

Figure 1 is a map and Table 1 contains details of the proposed ponds that currently exist or will be created as a result of these applications.

Transfer 1: Adjust the place of use for water right no. 36-15160

Water right no. 36-15160 is a wildlife storage right with a priority date of 1/1/1942 which authorizes the right holder to use water in 4 ponds for duck and geese habitat throughout the year (1/1 – 12/31). The storage volume of the ponds under this right is limited to 60 acft. When Sand Springs LP acquired the property, the previous owners were using this storage right to justify ponds outside of the authorized place of use. This transfer seeks to adjust the place of use to include the authorized 4 ponds for duck and geese habitat as decreed under this right. Transfer 1 will cover the year round ponds A and B as well as the seasonal (10/15 – 2/15) ponds 5 and 10, as shown in Table 1.

When water right no. 36-15160 was issued, IDWR did not evaluate ponds to include seepage loss, therefore, it is presumed that all aspects of these ponds will be covered under the existing right and the seepage volume will not require mitigation. The majority of the seepage calculated is occurring in pond B, which is within the current place of use. The volume of the ponds covered under this right have a total volume of 47 acft, below the authorized volume of 60 acft.

Transfer 2: Transfer part of water right no. 36-16858 to cover seasonal fill and evaporation from remaining ponds

Water right no. 36-16858 is a 11/5/1915 right from Sands Springs Creek with an irrigation rate of 2.56 cfs from 3/15 to 11/15 for 128.1 acres and a year round stockwater component. The intent of this transfer to change the nature of use of a portion of this right from irrigation to wildlife storage in order to mitigate for evaporation and seasonal fill.

The fill of the seasonal ponds occurs every year in October (during the irrigation season) for a total of 15.7 acft. According to records of the land owner, water right no. 36-16858 has been used to irrigate pasture land. It was presumed that this irrigation would fall under the Allen and Robison classification of "Grass Pasture – Low Maintenance", which has a seasonal consumptive use of 2.94 ft/acre (Allen and Robison, 2012). In order to mitigate for the 15.7 acft of seasonal fill, the applicant is transferring 5.3 acres from irrigation to wildlife storage.

Evaporation of the ponds occurs when water is in the ponds, which is from October 15 through February 15. The irrigation right is authorized during the irrigation season of March 15 through November 15. These periods of use overlap and do not correspond exactly. However, the Idaho Department of Water Resources routinely allows changes in the period use when there are changes in the nature of use of groundwater limited to the consumptive use volume, for example – conversions from irrigation to dairy stockwater and commercial. We have presumed that IDWR would follow the same policy in this transfer analysis. The total evaporation, based on Allen and Robison (2012), from open water – Shallow System (Ponds, Streams) during October 15 through February 15 was calculated to be 0.15 ft/acre. This assumes zero evaporation during the months of December and January, which Allen and Robinson (2012) report negative evaporation values. The seasonal pond surface area is 15.1 acres, which means that the total evaporation occurring from the seasonal ponds is 2.3 acft. If we use the same consumptive use for low maintenance grass of 2.91 ft/acre as above, then we calculate the number of acres to be dried up to mitigate for evaporation as 0.8 acres.

This transfer proposes to transfer 6.2 acres from irrigation (3/15 to 11/15) to wildlife storage to mitigate for evaporation and seasonal fill from October 15 through February 15.

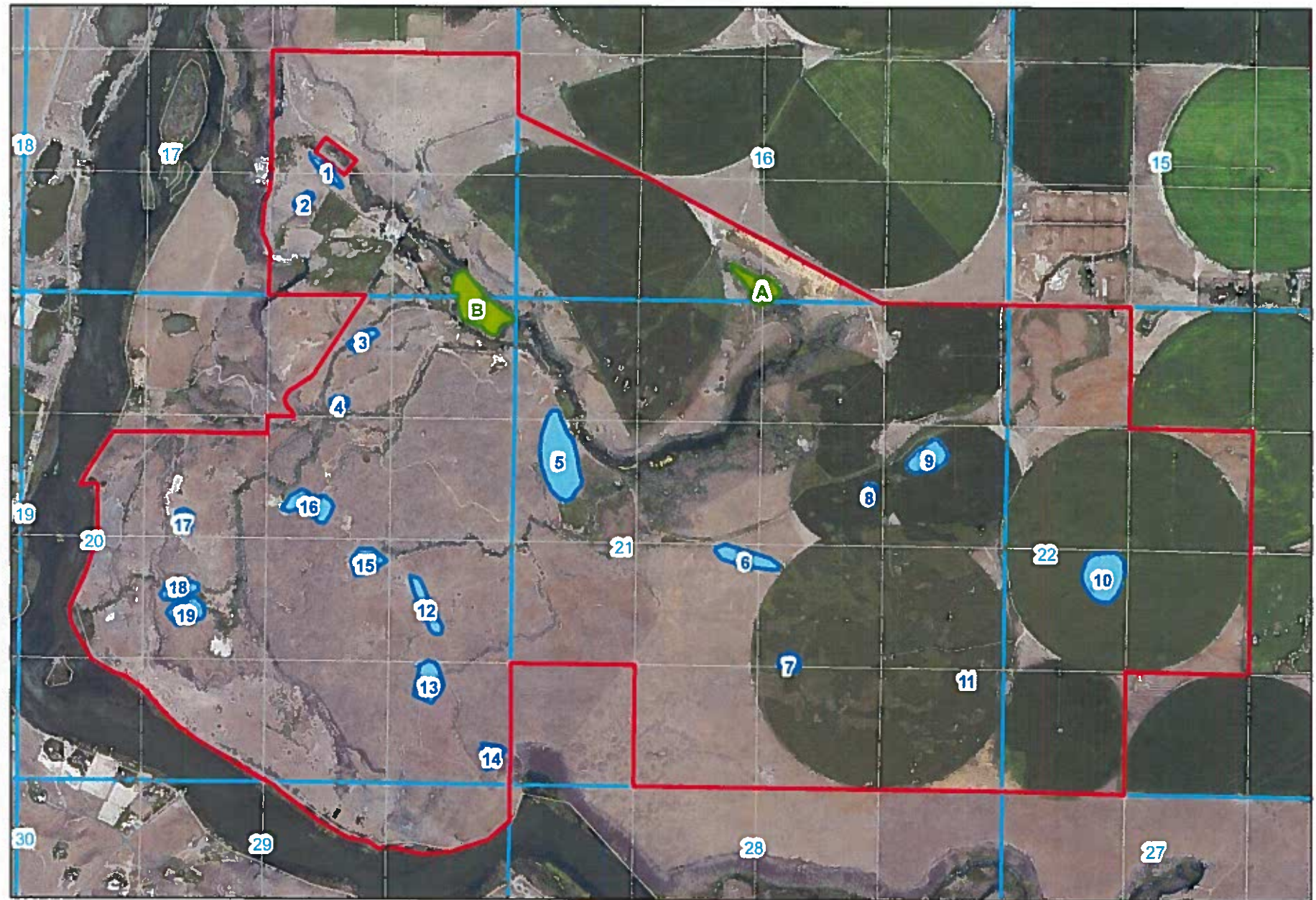
Permit Application 1: New non-consumptive groundwater right to mitigate for pond seepage from seasonal ponds

IDWR requires land owners to mitigate for seepage from ponds. Since the seepage returns to the groundwater, the applicant is seeking a new groundwater right, which will be non-consumptive, to fully mitigate for the pond seepage. The source of the new permit will be groundwater and the seepage will return to groundwater near the point of diversion. No ESPA modeling analysis was performed, because the proposed point of diversion and the seepage locations are in close proximity.

Seepage volumes were determined by using the NRCS (2015) soil classifications and average infiltration rates published by the NRCS (2015). The soils are classified as Loamy Fine Sand or Very Fine Sandy Loam. These soils typically have higher infiltration rates. However, the NRCS identifies that this ground usually has a hard cement (caliche) layer that impedes infiltration. The infiltration rates identified by the NRCS are between 0 and 0.06 in/hr. One pond (Pond 18) had a slightly higher infiltration rate, as identified. Using the average seepage rate of 0.03 in/hr, the seasonal ponds have a total seepage volume of 133.2 acft or a constant flow rate of 0.55 cfs. For the purpose of the permit application, we have increased the seepage volume to 5 times that value to compensate for any local abnormalities that may result in higher seepage rates. Therefore, the permit application is for 666 acft and a constant flow rate of 2.73 cfs during the seasonal pond time frame of October 15 through February 15.

Permit Application 2: New non-consumptive surface water right for pond flow through

The final application is for a new non-consumptive surface right from Sands Springs Creek to authorize flow through the ponds to keep the ponds fresh. This new permit will divert water from Sand Springs Creek and springs where Sand Springs LP has irrigation rights. The period of use of this diversion is only during the non-irrigation season, as it is anticipated that irrigation water will be diverted during the irrigation season. Diverted water will flow through the pond system before returning to the Snake River. Idaho Power Co. does have a hydroelectric power right down stream on Sand Springs Creek, and it is understood that diversion of this surface water right will be contingent upon Idaho Power having sufficient flow or allowing diversion to occur. The flow rate requested for this permit is the same diversion rate as during the irrigation season of 5.7 cfs.



0 550 1,100 2,200 Feet

BROCKWAY ENGINEERING, PLLC.
ALR -Date: 7/10/2015

FIGURE 1: SAND SPRING RANCH
OVERVIEW OF PROJECT
NAIP 2013 AERIAL

Legend
PONDS
Seasonal
Year Round
SAND SPRINGS RANCH POB



Table 1: Ponds on Sand Springs Ranch

Pond Evaluation for Transfers

Brockway Engineering, PLLC

GEP - 7/9/2015

Ponds Covered by Existing Water Right 36-15160

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Fill Volume	Seepage (acft) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
A	Year Round	3.2	6.2	19.9	9.0	0.5	19.9	46.5	23.6
B	Year Round	5.4	4.1	22.1	15.2	0.8	22.1	899.4*	456.6*
5	Seasonal	5.4	0.5	2.7	0.0	0.8	2.7	0.0	39.9
10	Seasonal	4.6	0.5	2.3	0.0	0.7	2.3	0.0	33.9
Total					24.2	2.9	47.0	945.9	554.1

Ponds Covered by Transfer and Permit Applications

Pond	Pond Type	Area (ac)	Depth (ft)	Volume (acft)	Evaporation (acft) ^a		Seasonal Fill (acft) ^b	Seepage (acft/year) ^c	
					2/15 - 10/15	10/15 - 2/15		2/15 - 10/15	10/15 - 2/15
1	Seasonal	0.4	0.5	0.2	0.0	0.1	0.2	0.0	2.7
2	Seasonal	0.1	1.0	0.1	0.0	0.0	0.1	0.0	0.5
3	Seasonal	0.4	1.0	0.4	0.0	0.1	0.4	0.0	3.2
4	Seasonal	0.3	0.5	0.2	0.0	0.1	0.2	0.0	2.4
6	Seasonal	0.9	1.0	0.9	0.0	0.1	0.9	0.0	6.7
7	Seasonal	0.6	1.0	0.6	0.0	0.1	0.6	0.0	4.6
8	Seasonal	0.8	0.5	0.4	0.0	0.1	0.4	0.0	5.7
9	Seasonal	0.5	1.0	0.5	0.0	0.1	0.5	0.0	3.7
11	Seasonal	0.5	0.5	0.2	0.0	0.1	0.2	0.0	3.7
12	Seasonal	0.8	1.0	0.8	0.0	0.1	0.8	0.0	5.7
13	Seasonal	1.1	1.0	1.1	0.0	0.2	1.1	0.0	8.2
14	Seasonal	0.5	0.5	0.2	0.0	0.1	0.2	0.0	3.7
15	Seasonal	1.2	2.0	2.5	0.0	0.2	2.5	0.0	9.1
16	Seasonal	3.2	1.0	3.2	0.0	0.5	3.2	0.0	23.8
17	Seasonal	1.1	0.5	0.6	0.0	0.2	0.6	0.0	8.2
18	Seasonal	1.7	0.5	0.8	0.0	0.3	0.8	0.0**	33.8**
19	Seasonal	1.0	3.0	3.0	0.0	0.2	3.0	0.0	7.3
Total					0.0	2.3	15.7	0.0	133.2

^a Evaporation based on surface area of pond and Hagerman Open Water - Shallow System (Ponds, Streams) Estimate evaporation (Allen and Robison, 2012). Negative evaporation during Dec and Jan was not included, but assumed to be zero.

^b Fill volumes are estimates of the pond volume. Year round ponds do not need mitigation because they are covered under water right 36-15160 for initial fill. Seasonal ponds must be mitigated annually.

^c Seepage was calculated based on pond area and the reported infiltration rate by the NRCS (2015) for soils specific to this property. Most ponds had an average seepage rate of 0.03 in/hr, because of identified cement hardpan layers. Two ponds had soils with much higher seepage rates, as identified below

* Pond B had an average seepage rate of 0.34 in/hr

** Pond 18 had an average seepage rate of 0.08 in/hr

MEMORANDUM

Date: November 18, 2016
To: Transfer 80481 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use of water right 36-15160 which authorizes 60 acre-feet of on stream storage in four ponds/reservoirs on Sand Springs Creek southwest of Wendell. The proposed change in place of use adds a couple of 40 acre tracts to more accurately describe where the four ponds/reservoirs are actually located. This proposed change constitutes a "paper change" and no actual physical change will occur. Therefore, since no actual hydrologic change will occur the application can be processed and approved without any public notice advertising. The ponds/reservoirs are located within Water District 130, so water master comments were solicited.

- **Authority to File:**
The current owner of the right involved with the transfer is Sand Springs LP, the transfer applicant. IDSOS information indicates that Charles Potter can sign on behalf of the applicant.
- **Water Right Validity:**
The right involved with the transfer was decreed in the SRBA in 1997. Aerial photography indicates that the ponds exist and are located as proposed in the application. Possible forfeiture of the right does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: November 18, 2016
To: Transfer 80481
From: Corey Skinner
Re: Legal Notice Not Required

Legal Notice Not Required
11/18/2016

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

TO: Transfer # 80481 File

FROM: Corey Skinner

DATE: November 18, 2016

SUBJECT: Filing Fee

The filing fee, \$500.00, for this transfer is based on the total amount of water being transferred, 60 acre-feet.. The transfer fee schedule for a transfer involving 21 - 100 acre-feet indicates that the filing fee is \$500.00.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

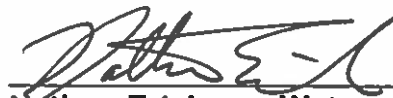
Transfer No: 80481
Water Right No: 36-15160
Applicant Name: Sand Springs LP

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: October 31, 2016

Water District 130


Nathan Erickson, Watermaster



RECEIVED

AUG 31 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

ORIGINAL

Sand Springs LP
PO Box 9
Dundee, Illinois 60118

(847) 989-1959

August 26, 2016

To whom this may concern,

The correct mailing address for Sand Springs LP is PO Box 9, Dundee, Illinois 60118. Charles Potter is the managing partner.

Sincerely,

Charles Potter

36-2016	36-10644
36-7136	36-10645
36-7163	36-10649
36-7452	36-15159
36-7453	36-15160 (Transfer #80481)
36-10641	36-16858 (Transfer #80482)

✓ data-entry done 8/29/2016. DM

via E-mail
RECEIVED

AUG 26 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Sand Springs LP
PO Box 9
Dundee, Illinois 60118

(847) 989-1959

August 26, 2016

To whom this may concern,

The correct mailing address for Sand Springs LP is PO Box 9, Dundee, Illinois 60118. Charles Potter is the managing partner.

Sincerely,



Charles Potter

36-2016	36-10644
36-7136	36-10645
36-7163	36-10649
36-7452	36-15159
36-7453	36-15160 (Transfer #80481)
36-10641	36-16858 (Transfer #80482)

✓ data entry done 8/29/2016. DM

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
PAUL L. ARRINGTON
SCOTT A. MAGNUSON



163 2nd Ave. West
P.O. Box 63
Twin Falls, Idaho 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 W. Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

RECEIVED

MAY 25 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

BARKER ROSHOLT & SIMPSON LLP
is Pleased to Announce

Effective May 26, 2016
The New Address of our Twin Falls Office

**163 2nd Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063**

Our Telephone, Facsimile, and E-Mail Addresses remain the same

Please note we will now be using a Post Office Box

Invoice payments are still to be mailed to the Boise office

Boise and Twin Falls Offices:

1010 W. Jefferson, Suite 102
P. O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

163 2nd Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

The last day at the current Twin Falls' address will be May 26, 2016.

Phones and email will be working in the interim – however, incoming calls may be intermittently answered in the Boise office on May 26th

Copy for
80481

36-7762



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

DEC 21 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

December 16, 2015

Mr. Corey Skinner
Idaho Department of Water Resources – Southern Region
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-5858

Re: Sand Springs LP Transfer and Permit Applications
Project No. 778-02-2013

Dear Corey,

Thank you for your effort to work with Sand Springs LP, Paul Arrington, and myself to adjust the applications for transfer and permit to authorize the formation of the wildlife ponds on the Sand Springs LP property. We have revised the applications, which are enclosed based on our site visit and subsequent discussions. Our approach is the same, but the numbers have changed. The enclosed narrative discusses the applications.

I understand that a check for \$1890 was included with the original applications to cover the filing fees. My calculations show that the filing fee associated with the revised applications should be \$2070. Therefore, I have enclosed a check for \$180 to cover the difference.

Please contact me to discuss any questions that you might have.

Cordially,

G. Erick Powell, Ph.D., P.E.

enclosed

cc: Charlie Potter
Paul Arrington

2016 NORTH
WASHINGTON
STREET • SUITE 4

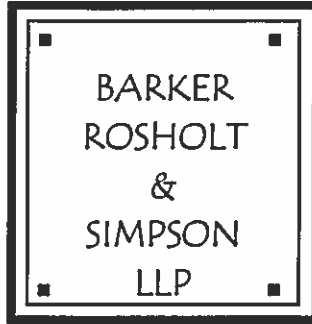
TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington*
Scott A. Magnuson*

** Licensed in Idaho & Washington*



Paul L. Arrington
pla@idahowaters.com

July 15, 2015

195 River Vista Place, Suite 204
Twin Falls, Idaho 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 West Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

RECEIVED

JUL 15 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Corey Skinner
Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Ste. 500
Twin Falls, ID 83301-5858

*RE: Applications for Transfer of Water Rights & Applications for Permit
Sand Springs, LP*

To Corey:

Attached please find the following documents:

1. Narrative in Support of Sand Springs LP Transfer and Permit Applications;
2. Application for Transfer of Water Right No. 36-15160 (i.e. "Transfer 1");
3. Application for Transfer of Water Right No. 36-16858 (i.e. "Transfer 2");
4. Application for Permit (groundwater) (i.e. "Permit 1"); and
5. Application for Permit (surface water) (i.e. "Permit 2").

Each application is in the name of Sand Springs, LP.

Also included is a check for \$1,890 for the filing fees for these Applications.

Please call if you need any further information.

Yours Truly,



Paul L. Arrington

PLA/jn

Encs.