

RECEIVED

DEC 21 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80482

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 LP

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 21 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, Barker Rosholt & Simpson Phone 208-733-0700
Mailing address 195 River Vista Place #204; Twin Falls, Idaho 83301 Email pla@idahowaters.com
163 2nd Ave W, P.O. Box 63 (as of 5/25/2016) *DM*

- ☐ 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]
Signature of Applicant or Authorized Representative

Charles S. Pottgen
Print Name and Title if applicable
Manager, Pumper, Sand Springs LP

11/23/15
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 nature of use of surface irrigation rights to wildlife storage in order to mitigate for evaporation and annual fill of ponds on property.



See address change
received 8/26/2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 24 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 ☐ ☒	36-16858 (pt)	-- / 17.85 afa	Wildlife Storage	10/15 to 2/15	Sand Springs Ck & Snake
☐ ☒	36-16858 (pt)	0.30 / --	Diversion to Storage	10/15 to 11/15	Sand Springs Ck & Snake
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.30 cfs and/or 17.85 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.30 cubic feet per second and/or 17.85 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												X			X		
8S	14E	17														W	W	X	
8S	14E	20	X	W	W					W	W				W	W		W	
8S	14E	21		X	W	W	X	W	W	X	W					W	W	W	
8S	14E	22									W								
Total Acres (for irrigation use)																			

* NOT INCLUDED PER

8/23/16 & 8/24/16 E-MAILS

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.

	<u>Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☐ ☒	36-16858 (pt)	-- / 8.5 afa	Wildlife Storage	10/15 to 2/15	Sand Springs Ck & Snake
☐ ☒	36-16858 (pt)	0.30 / --	Diversion to Storage	10/15 to 2/15	Sand Springs Ck & Snake
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

CEDED

Total authorized under rights 0.30 cfs and/or 8.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.30 cubic feet per second and/or 8.5 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.

Now	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
SEE PAGE										
SUBMITTED 8/24/16										

4. Place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ 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	W	~~W~~	
8S	14E	20	~~W~~	W	W					W	W				W	W		W	
8S	14E	21		~~W~~	W	W	~~W~~	W	W	~~W~~	W					W	W	W	
8S	14E	22										W							
NOT INCLUDED																			Total Acres (for irrigation use)

* NOT INCLUDED
PER 8/23/16 E-MAIL

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:

Diversion from Sand Springs Creek for mitigation of evaporation and annual fill volume for new ponds. Existing diversions can be modified with measuring devices, if necessary. Distribution of diverted water through pipes and open channel.

- 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:

Seepage from new ponds will be covered by new non-consumptive groundwater diversion.

- 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: 36-16858

1. amount 0.30 cfs / - (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
 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 $\frac{1}{4}$ tract.)

[illegible]

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

Current Water Right No.: 36-16858

Current Owner: SAND SPRINGS LP

Priority Date: 11/5/1915

Origin: Water Right

Status: Active

Basis: Decreed

Source

SAND SPRINGS CREEK

Tributary

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 03/15 to 11/15

2.56 CFS

512.4 AF

STOCKWATER 01/01 to 12/31

0.15 CFS

Total Diversion

2.71 CFS

512.4 AF

Location of Point(s) of Diversion

SAND SPRINGS CREEK

SW1/4NW1/4NW1/4

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

GOODING County

Place of Use

IRRIGATION Within GOODING County

T08S R14E S17	NWSE	4.00	T08S R14E S17	SWSE	26.00
T08S R14E S17	SESE	12.00	T08S R14E S20	NENE	12.00
T08S R14E S20	NWNE	22.00	T08S R14E S20	SWNE	1.60
T08S R14E S20	Lot 3 SWNW	6.00	T08S R14E S20	SENW	17.50
T08S R14E S20	NESW	11.00	T08S R14E S20	Lot 4 NWSW	16.00

Total Acres: 128.1

STOCKWATER Within GOODING County

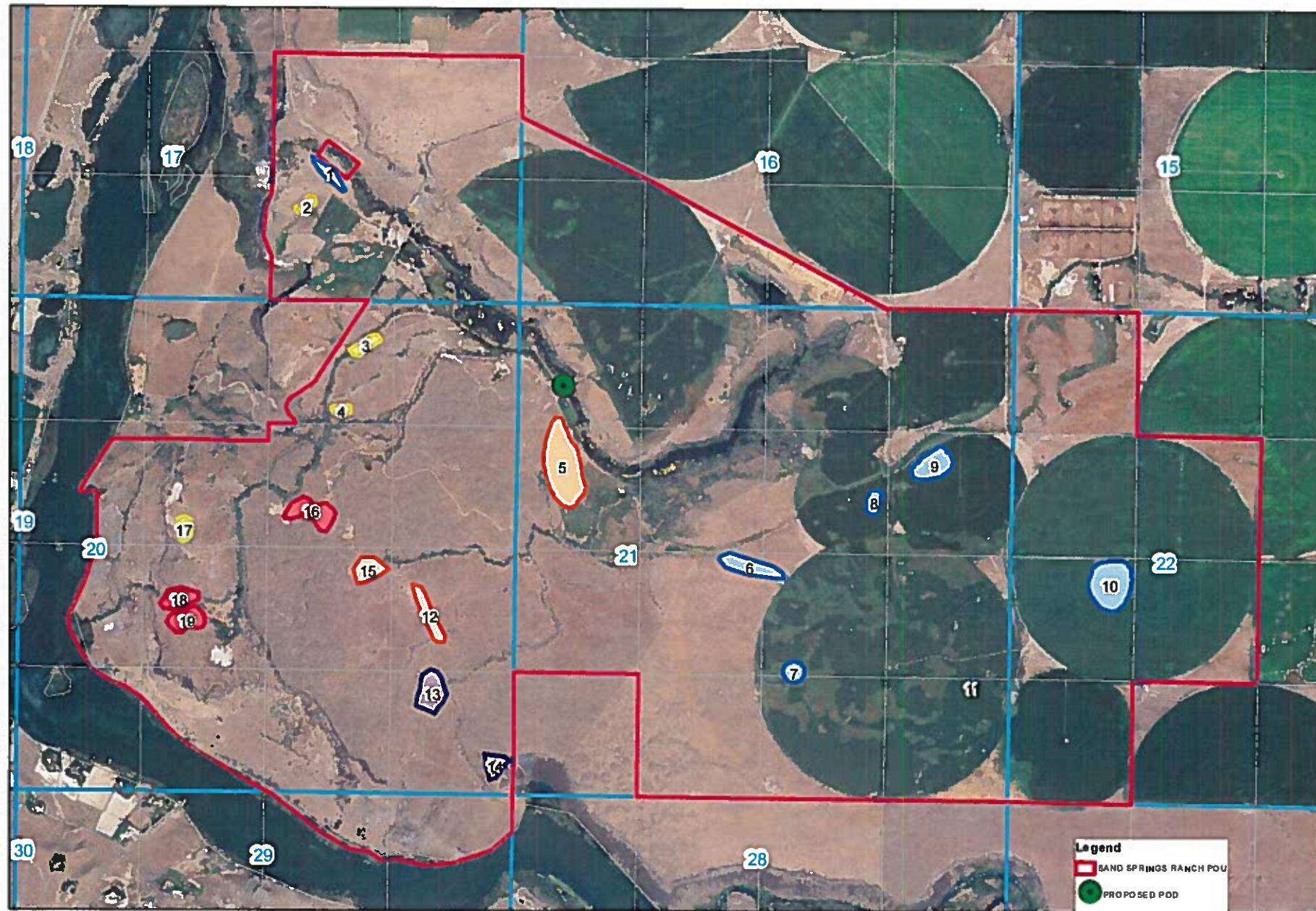
T08S R14E S17	NWSE	T08S R14E S17	SWSE
T08S R14E S17	SESE	T08S R14E S20	NENE
T08S R14E S20	NWNE	T08S R14E S20	SWNE
T08S R14E S20	Lot 3 SWNW	T08S R14E S20	SENW
T08S R14E S20	NESW	T08S R14E S20	NWSW
T08S R14E S20	Lot 4 NWSW		

Page 7 of _____

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. N05 THE QUANTITY OF WATER UNDER RIGHTS 36-2016 AND 36-16858 FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. STOCKWATER/ 700 RANGE CATTLE

Decreed Date: 8/27/2001



- Legend**
- SAND SPRINGS RANCH POU
 - PROPOSED PDD
- Pond Groups**
- Pumped Ponds
 - L Sand Springs Creek Ponds
 - Pumped Ponds
 - Irrigation Filled Ponds
 - Pumped Ponds

0 550 1,100 2,200 Feet

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

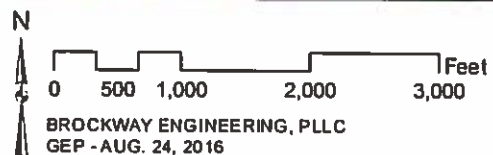
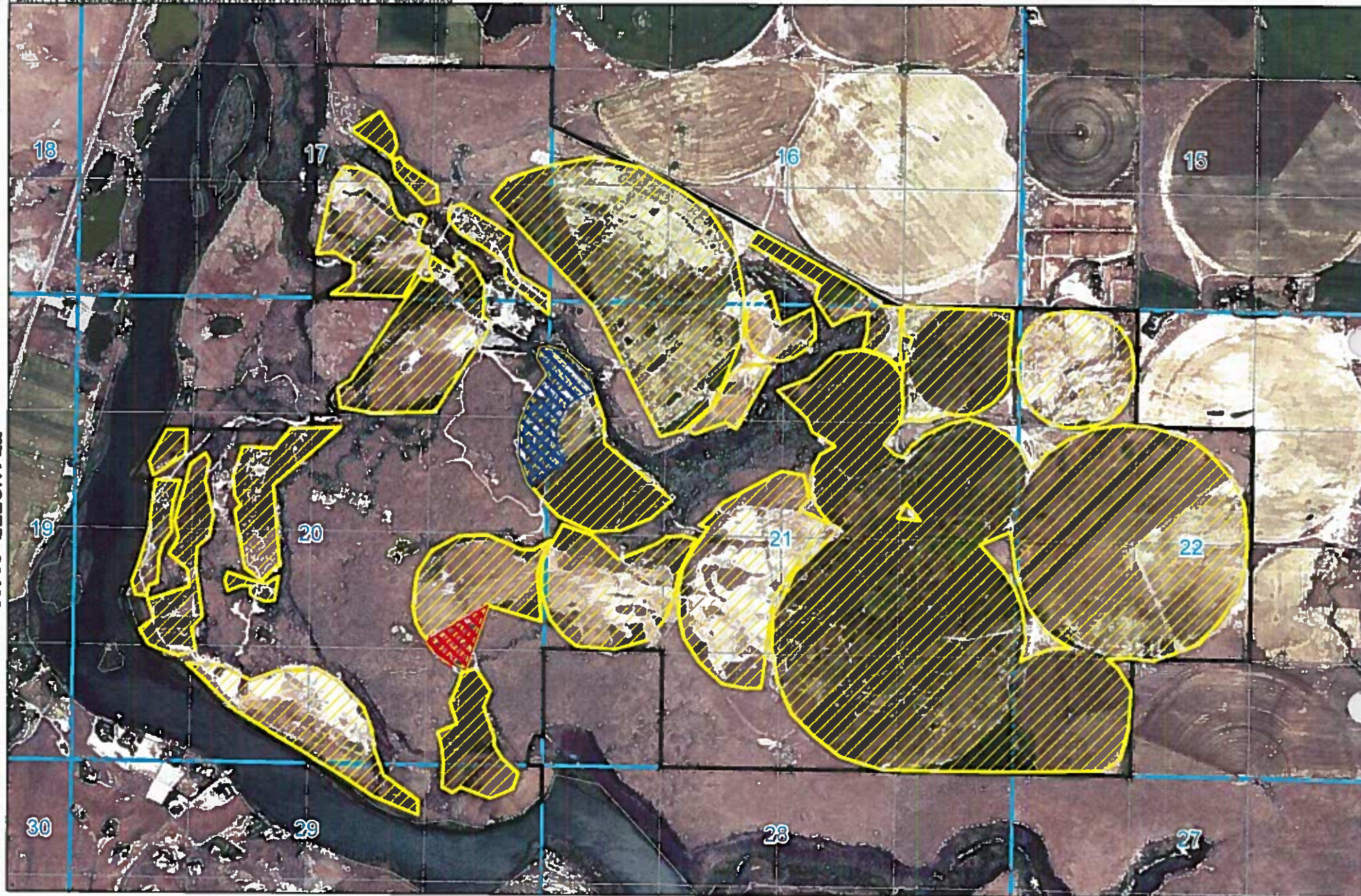
ATTACHMENT #7A

CHANGE OF USE TRANSFER, WR NO. 36-16858
NAIP 2013 AERIAL

N

TRANSFER 80482

TRANSFER 80482



SAND SPRINGS RANCH
MITIGATION AND ABANDONMENT ACRES
T8S R14E, GOODING COUNTY
NAIP 2015 AERIAL PHOTOGRAPH

Legend

-  Abandon = 5 acres
-  Mitigation = 15 acres
-  2016 Irrigation = 952 acres
-  Property Boundary

Attachment #8a

Transfer 2: 36-16858

Consumptive use calculations

Sand Springs LP

Brockway Engineering, PLLC

11/18/2015

Current Condition (mm/day) - irrigation season 3/15 through 11/15

Irrigation of Grass Pasture - Low Maintenance (Hagerman - Allen and Robison, 2012)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-0.02	0.12	0.67	3.03	4.46	5.35	6.07	5.03	3.44	1.27	-0.41	-0.28
0	0	16	30	31	30	31	31	30	31	15	0
0	0	10.72	90.9	138.26	160.5	188.17	155.93	103.2	39.37	0	0

Total	887 mm/ac 2.91 ft/ac
--------------	-------------------------

Pond Evaporation - During the Seasonal Period of 10/15 through 2/15

Open Water System - Ponds and Streams (Hagerman - Allen and Robison, 2012)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-0.17	0.27	1.54	2.74	3.71	4.74	5.42	4.75	3.93	2.29	0.21	-0.94
31	15	0	0	0	0	0	0	0	16	30	31
0	4.05	0	0	0	0	0	0	0	36.64	6.3	0

Total	46.99 mm 0.15 ft
--------------	---------------------

Pond Area = 9.3 acres

Evaporation from Ponds = 1.4 acft

Red Group Pond Evaporation - During the Seasonal Period of 11/15 through 2/15

Open Water System - Ponds and Streams (Hagerman - Allen and Robison, 2012)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-0.17	0.27	1.54	2.74	3.71	4.74	5.42	4.75	3.93	2.29	0.21	-0.94
31	15	0	0	0	0	0	0	0	0	15	31
0	4.05	0	0	0	0	0	0	0	0	3.15	0

Total	7.2 mm 0.02 ft
--------------	-------------------

Pond Area = 5.9 acres

Evaporation from Ponds = 0.1 acft

Evaporation: 1.5 acft

Seasonal Fill: 5.7 acft

Mitigation: 7.2 acft = 2.5 acres

Applicant is drying up 15 acres for flow rate, so less consumptive use after the transfer

TRANSFER 80482

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 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 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.

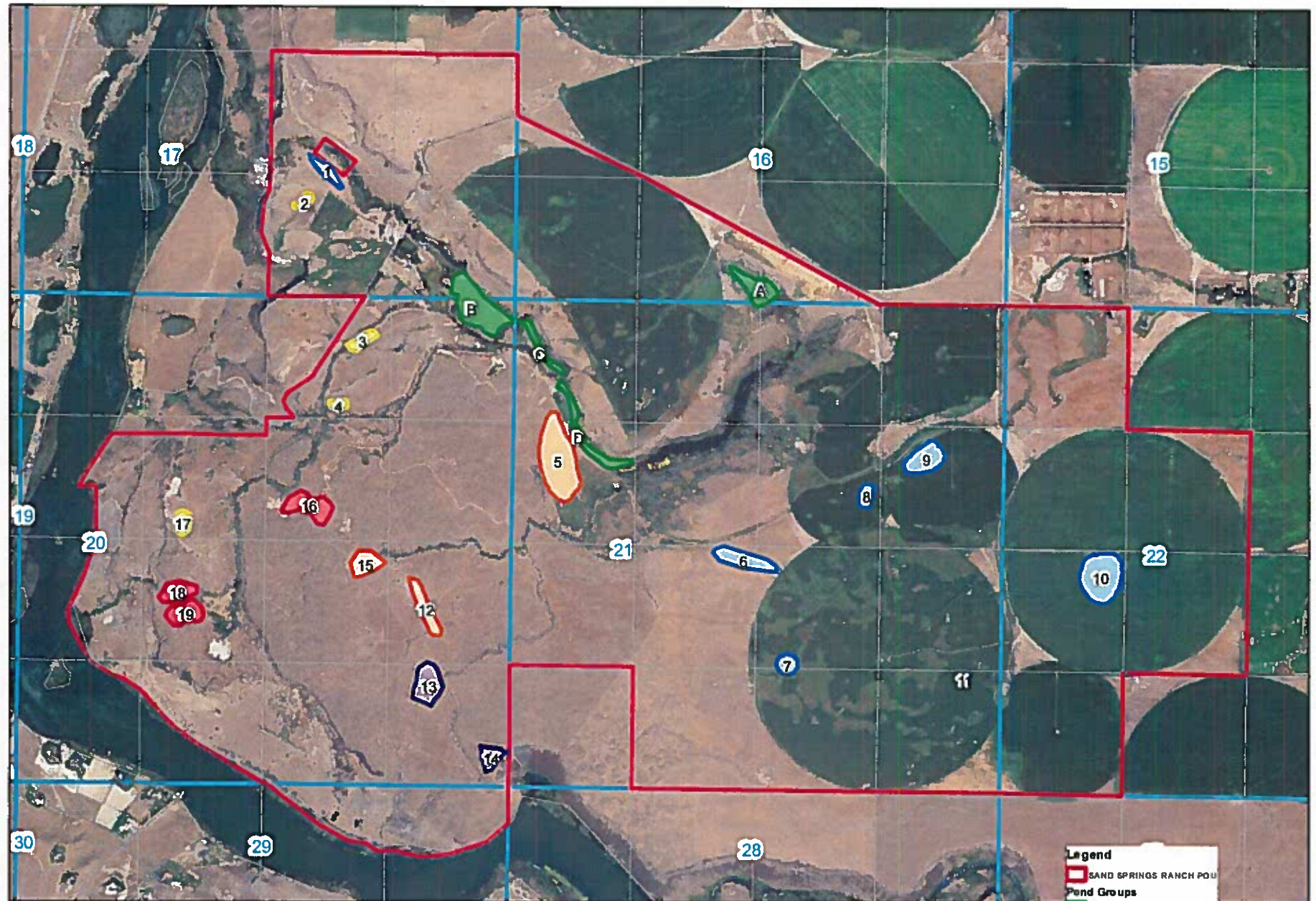


FIGURE 1: SAND SPRING RANCH
OVERVIEW OF PROJECT
NAIP 2013 AERIAL

0 550 1,100 2,200 Feet

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



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 permti mitigates seepage from 10/15 - 2/15
Flow Through: New surface water permit fo 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 permti mitigates seepage from 10/15 - 2/15
Flow Through: New surface water permit fo 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 permti mitigates seepage from 10/15 - 2/15
Flow Through: New surface water permit fo 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 Meathod	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. SAND SPRINGS LP CHARLES POTTER P.O. BOX 9 DUNDEE IL 60118		BRIAN BARSOTTI 215 PICABO ST STE 304 KETCHUM ID 83340			
				3. <u>New</u> Registered Agent Signature:*			
Office Held	Name	Street or PO Address		City	State	Country	Postal Code
GENERAL PARTNER	CHARLES POTTER ACRE INVESTMENTS LLC	P.O. BOX 9		DUNDEE	IL	USA	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 80482

Travis L. Thompson, ISB #6168
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
163 Second Avenue West
P.O. Box 63
Twin Falls, Idaho 83303
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

Attorneys for Sand Springs, LP

RECEIVED

AUG 26 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 80482

In the names of Sand Spring, LP

**CONTINGENT NOTICE OF
ABANDONMENT OF PORTION OF
WATER RIGHT No. 36-16858**

COMES NOW, Sand Springs, LP, the applicant in the above matter ("Sand Springs"), by and through its attorney of record, and hereby files this *Contingent Notice of Abandonment of Portion of Water Right No. 36-16858*.

On July 15, 2015, Sand Springs filed 4 applications with the Department of Water Resources, including Transfer Nos. 80481 and 80482, and Application for Permit Nos. 36-17052 and 36-17053. These applications propose diversion and use for various recreational ponds on the Sand Springs property. The applications also propose to dry up 15 acres on the Sand Springs property for mitigation.

Idaho Power diverts water in Sand Springs Creek for power generation. In anticipation of potential concerns by Idaho Power to the above applications, Sand Springs contacted Idaho Power to resolve any concerns in advance of publishing. Through these discussions, Sand Springs agreed to dry up an additional 5-acres on the Sand Springs property.

**CONTINGENT NOTICE OF ABANDONMENT OF PORTION
OF WATER RIGHT No. 36-16858**

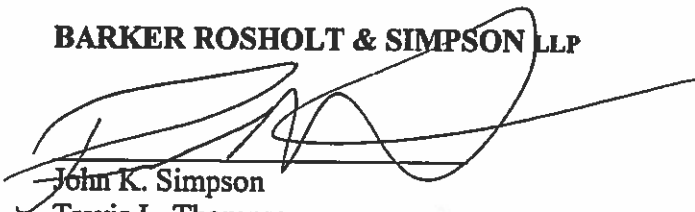
Accordingly, Sand Springs provides this contingent notice that it will abandon the following portion of Water Right No. 36-16858:

- Acres: 5 Acre reduction within the Permissible Place of Use for water right 36-16858;
- Diversion Rate: 0.10 diversion rate reduction

This abandonment is contingent on the Department approving the above applications and is intended to resolve any concerns of Idaho Power in approving the above applications.

DATED this 26th day of August, 2016.

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Travis L. Thompson
Paul L. Arrington

*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

VERIFICATION

I, Charles Potter, General Partner for Sand Springs, LP, to hereby verify that I have reviewed the above *Contingent Notice of Abandonment of Portion of Water Right No. 36-16858*, and to hereby confirm that, upon approval of the above-referenced applications, Sand Springs, LP shall abandon 5 acres within the permissible place of use for Water Right No. 36-16858, including 0.10 cfs of the authorized diversion rate.

Sand Springs, LP

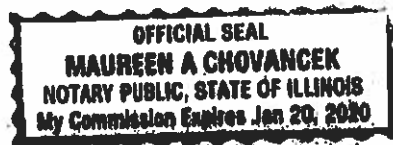
By: Charles Potter, General Partner

State of Illinois)
) ss
County of Kane)

On this 26th day of August, 2016, personally appeared CHARLES POTTER, general partner for SAND SPRINGS, LP, and duly acknowledged to me that he executed the same on behalf of SAND SPRINGS, LP.

Sharon A. Chacon
Notary Public

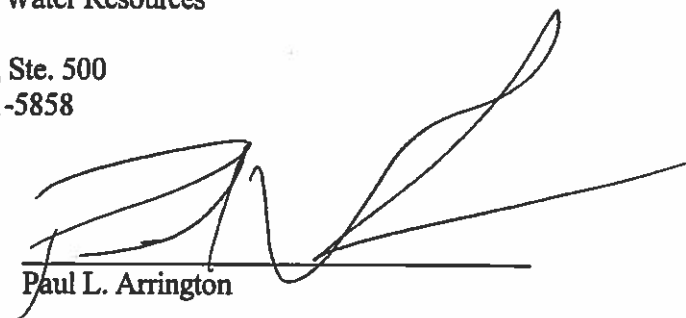
My commission expires: 1/20/20



CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of August, 2016, I served a copy of the foregoing
CONTINGENT NOTICE OF ABANDONMENT, by email to the following:

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



Paul L. Arrington

JUL 15 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80482**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.d.)
- ☒ * #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]
Signature of Applicant or Authorized Representative

Charles S. Pottinger
Print Name and Title if applicable

7/15/13
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☒ Change nature of use ☐ Change period 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 nature of use of surface irrigation rights to mitigate for evaporation and annual fill of new ponds on property.

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 ☐ ☒	36-16858 (pt)	-- / 18.1 afa	Wildlife Storage	10/15 to 2/15	Sand Springs Ck & Snake
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights -- cfs and/or 18.1 acre-feet.

2. Total amount of water proposed to be transferred or changed -- cubic feet per second and/or 18.1 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	W			W		
8S	14E	17												W	W	W	W	W	
8S	14E	20	W	W	W	W			W	W	W	W	W	W	W	W	W	W	
8S	14E	21	W	W	W	W	W	W	W	W	W	W		W	W	W	W	W	
8S	14E	22						W	W	W	W	W	W						
8S	14E	29	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:
Diversion from Sand Springs Creek for mitigation of evaporation and annual fill volume for new ponds. Existing diversions can be modified with measuring devices, if necessary. Distribution of diverted water through pipes and open channel.

- 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:
Seepage from new ponds will be covered by new non-consumptive groundwater diversion.

- 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 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 \$450- 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.

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

Current Water Right No.: 36-16858

Current Owner: SAND SPRINGS LP

Priority Date: 11/5/1915

Origin: Water Right

Status: Active

Basis: Decreed

Source

SAND SPRINGS CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.56 CFS	512.4 AF
STOCKWATER	01/01 to 12/31	0.15 CFS	
	<u>Total Diversion</u>	2.71 CFS	512.4 AF

Location of Point(s) of Diversion

SAND SPRINGS CREEK

GOODING County

SW1/4NW1/4NW1/4

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

Place of Use

IRRIGATION Within GOODING County

T08S R14E S17	NWSE	4.00	T08S R14E S17	SWSE	26.00
T08S R14E S17	SESE	12.00	T08S R14E S20	NENE	12.00
T08S R14E S20	NWNE	22.00	T08S R14E S20	SWNE	1.60
T08S R14E S20	Lot 3 SWNW	6.00	T08S R14E S20	SENE	17.50
T08S R14E S20	NESW	11.00	T08S R14E S20	Lot 4 NWSW	16.00

Total Acres: 128.1

STOCKWATER Within GOODING County

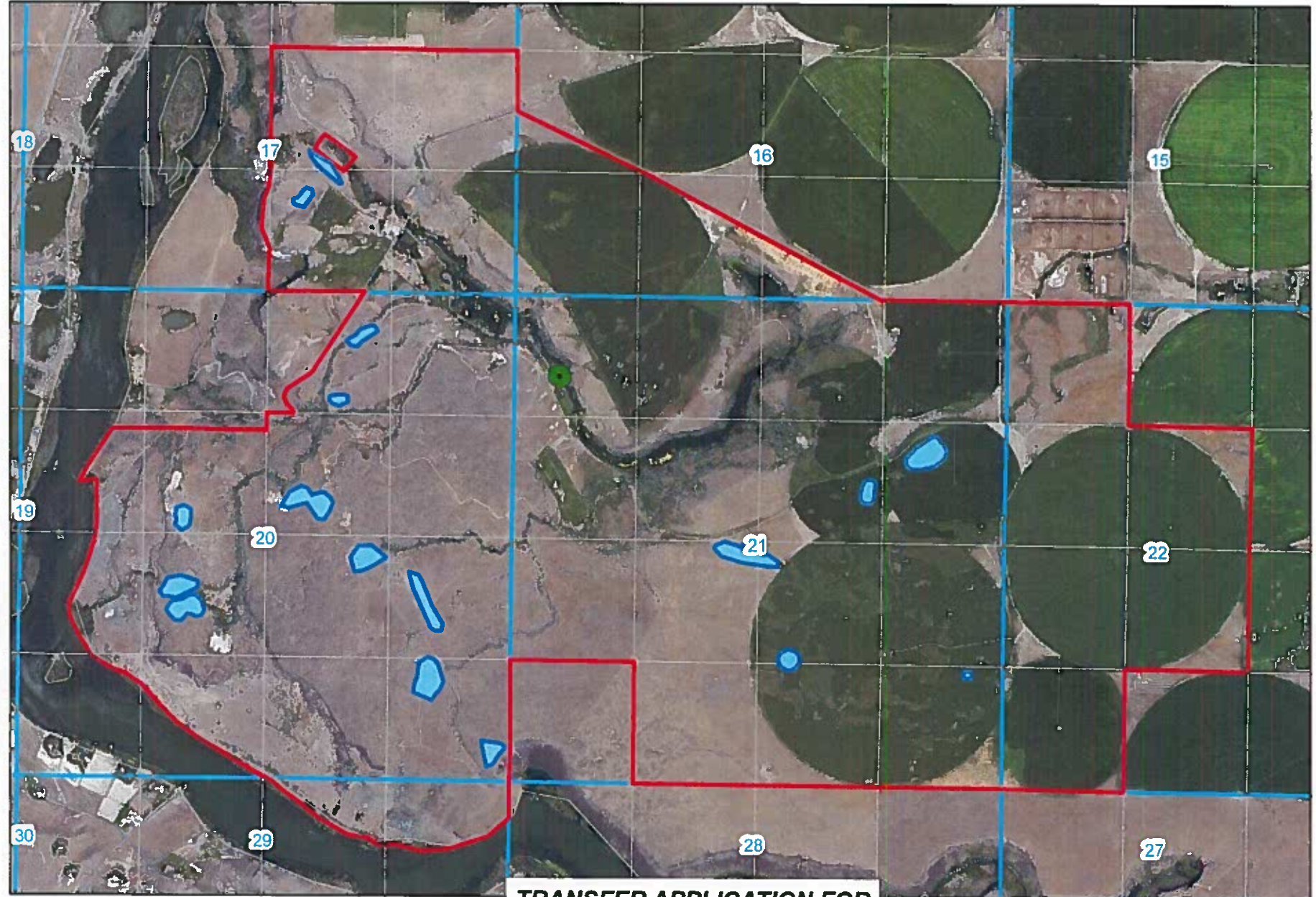
T08S R14E S17	NWSE	T08S R14E S17	SWSE
T08S R14E S17	SESE	T08S R14E S20	NENE
T08S R14E S20	NWNE	T08S R14E S20	SWNE
T08S R14E S20	Lot 3 SWNW	T08S R14E S20	SENE
T08S R14E S20	NESW	T08S R14E S20	NWSW
T08S R14E S20	Lot 4 NWSW		

Page _____ of _____

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(8), IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. N05 THE QUANTITY OF WATER UNDER RIGHTS 36-2016 AND 36-16858 FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. STOCKWATER/ 700 RANGE CATTLE

Decreed Date: 8/27/2001



0 550 1,100 2,200 Feet

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

TRANSFER APPLICATION FOR SAND SPRING RANCH

WATER RIGHT NO. 36-16858
NAIP 2013 AERIAL

Legend

- 36-16858 POD
- PROPOSED POND LOCATIONS
- SAND SPRING RANCH POB



Attachment #8a

Transfer 2: 36-16858

Consumptive use calculations

Sand Springs LP

Brockway Engineering, PLLC

7/10/2015

Current Condition (mm/day) - irrigation season 3/15 through 11/15

Irrigation of Grass Pasture - Low Maintenance (Hagerman - Allen and Robison, 2012)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-0.02	0.12	0.67	3.03	4.46	5.35	6.07	5.03	3.44	1.27	-0.41	-0.28
0	0	16	30	31	30	31	31	30	31	15	0
0	0	10.72	90.9	138.26	160.5	188.17	155.93	103.2	39.37	0	0

Total	887 mm/ac
	2.91 ft/ac

Pond Evaporation - During the Seasonal Period of 10/15 through 2/15

Open Water System - Ponds and Streams (Hagerman - Allen and Robison, 2012)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-0.17	0.27	1.54	2.74	3.71	4.74	5.42	4.75	3.93	2.29	0.21	-0.94
31	15	0	0	0	0	0	0	0	16	30	31
0	4.05	0	0	0	0	0	0	0	36.64	6.3	0

Total	46.99 mm
	0.15 ft

Pond Area = 15.1 acres

Evaporation from Ponds = 2.3 acft

Area of grass pasture to dry up to mitigate for 2.3 acft evaporation is

0.8 acres

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.

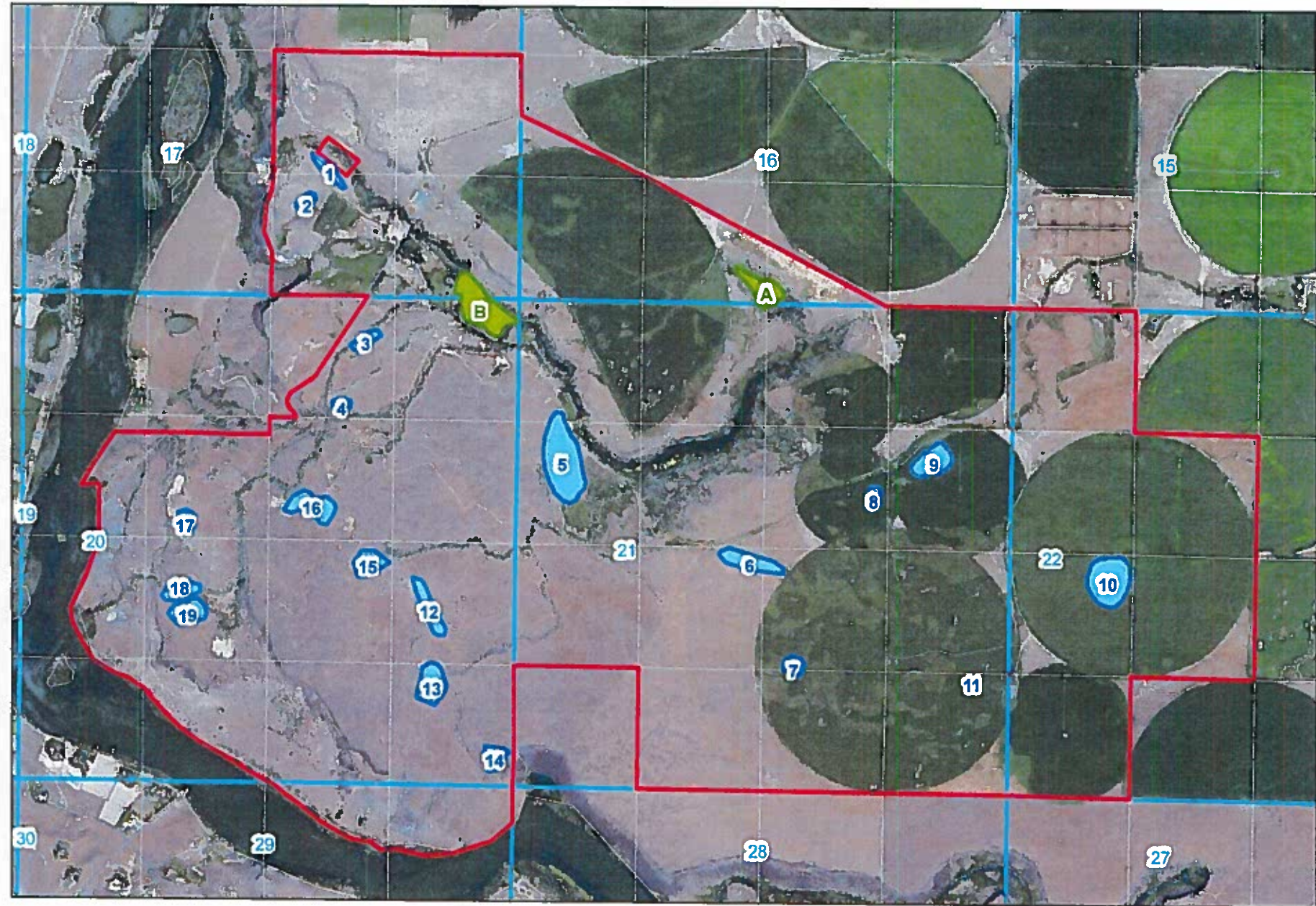
Permit Application 1: New non-consumptive groundwater right to mitigate for pond seepage from seasonal ponds

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 PDU



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

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Friday, August 26, 2016 2:55 PM
To: Skinner, Corey
Cc: Paul Arrington; 'Erick Powell'; cpotter@mcgrawwildlife.org
Subject: FW: Sand Springs Map
Attachments: mitigation dry up acres.pdf

Corey:

Attached is a map depicting a revised 206 share for the Sand Springs property. You will notice that the map shows the area being dried up for mitigation (blue) as well as the acres that will be dried up due to the abandonment (red). We have confirmed with our client that this is the irrigation that is taking place in 2016 and will take place for the foreseeable future.

Based on our conversations, I understand this to be the last piece of information you need for the applications. They will be ready for publication, with a protest deadline in mid-September. Please advise if there is anything else you need from either myself or Erick.

Thanks, Paul

Paul L. Arrington

Barker Rosholt & Simpson, LLP

208-733-0700 – Office

208-404-9436 – Cell

208-735-2444 – Fax

CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Friday, August 26, 2016 9:00 AM
To: Skinner, Corey
Cc: Paul Arrington
Subject: Sand Springs Ranch
Attachments: Contingent Notice of Relinquishment (36-16858).pdf; Ltr RE Correct Address.pdf

Corey:

Attached are the following 2 documents:

1. Contingent Notice of Abandonment (notarized); and
2. Letter from Charlie Potter confirming the correct address of Sand Springs, LP

I will send the originals to you when I receive them (early next week).

The Aerial photo with the revised 206 map and showing the abandoned and mitigation acres has been prepared but is being confirmed by the property manager. I will get that to you ASAP.

Thanks again!

Paul L. Arrington
Barker Rosholt & Simpson LLP
163 Second Ave. West
P.O. Box 63
Twin Falls, Idaho 83303
(208) 733-0700 - telephone
(208) 404-9436 - mobile
(208) 735-2444 - facsimile

CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	410.58
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	410.58
Fax			
Section	Legals	Start/End Dates	09/01/2016 - 09/08/2016
SubSection		Insertions	2
Category	50 Legal	Size	276
Ad Key	31352-1	Salesperson(s)	Ruby Aufderheide
Keywords	Sand Springs-Branch-Southfield-Knudsen	Taken By	Janet Cranney
Notes			

Ad Proof

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

36-17052
SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118
Point of Diversion NENWNE S21 T08S R14E GOODING County
Source GROUND WATER Tributary
Point of Diversion (Injection) NWNE S21 T08S R14E GOODING
County Source GROUND WATER Tributary
Point of Diversion (Rediversion) NWNW S21 T08S R14E
GOODING County Source GROUND WATER Tributary
Use: WILDLIFE 10/15 to 11/15 1.62 CFS
Use: WILDLIFE 11/15 to 02/15 2.43 CFS
Total Diversion: 2.43 CFS
Date Filed: 7/15/2015
Place Of Use: WILDLIFE
T08S R14E S17 NWSE SWSE
T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE
SESE
T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE
SWSE SESE
T08S R14E S22 NWSW
Application proposes to divert up to 2.43 cfs of groundwater from
an existing irrigation well, then inject the diverted groundwater
into Sand Springs Creek, and then redivert the groundwater
from Sand Springs Creek. This will provide for seepage water
associated with 19 existing &/or proposed ponds on a farm
located approximately 3.0 to 4.6 miles south and 5.0 to 7.5
miles west of the center of Wendell.

36-17053
SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118
Point of Diversion SWNWNW S21 T08S R14E GOODING
County Source SAND SPRINGS CREEK Tributary SNAKE
RIVER
Use: WILDLIFE 10/15 to 11/15 2.87 CFS
Use: WILDLIFE 11/15 to 02/15 6.4 CFS
Total Diversion: 6.4 CFS
Date Filed: 12/21/2015
Place Of Use: WILDLIFE
T08S R14E S17 NWSE SWSE
T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE
SESE
T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE
SWSE SESE
T08S R14E S22 NWSW
Application proposes to divert up to 6.4 cfs of water from Sand
Springs Creek to provide for flow through water associated with
19 existing &/or proposed wildlife ponds on a farm located
approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west

**Proof of legal notice
received from
Times News 8/26/2016
(6 total pages)**

✓ OK DM 8/29/2016
E-mail sent.

of the center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80482

SAND SPRINGS LP, PO BOX 9, DUNDEE, IL 60118; has filed Application No. 80482 for changes to the following water rights within GOODING County(s): Right No(s). 36-16858. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.30 cfs and 15 acre portion of a Sand Springs Creek irrigation right to uses associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell. Water will be diverted to account for pond evaporation &/or initial fill volumes associated with the 19 ponds.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81001

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 81001 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes splitting the stockwater portions off of two ground water rights. The transfer will change the points of diversion and place of use to reflect the actual locations of an existing feedlot operation located approximately 3.0 miles south and 1.0 mile east of the City of Malta. Two existing wells will divert up to 0.40 cfs and 279 AF for domestic and stockwater uses associated with the feedlot.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81110

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81110 for changes to the following water rights within GOODING County(s): Right No(s). 37-22803. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use; points of diversion (PODs) and period of use for a 0.38 cfs and 23.6 acre portion of an irrigation ground water right. Irrigation use will be changed to commercial/stockwater use for a proposed cattle feeding operation to be located within the currently authorized places of use (POU). The changed portion of the water right will be diverted from two proposed wells to be drilled. PODs and POU are located approximately 5.9 to 6.9 miles west and 1.0 to 2.8 miles south of the city center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81111

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81111 for changes to the following water rights within GOODING County(s): Right No(s). 36-17035, 36-17037, 36-7377D, 36-7547D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.21 cfs; 39 acre foot portion from four commercial/stock water rights to a new cattle facility adjacent to the current place of use (POU). Point of diversion (POD) will be from an existing well. POD and POU are located approximately 4.9 to 5.9 miles west and 1.5 to 2.0 miles south of the city center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81144

PAT KNUDSEN and SCOTT KNUDSEN, 1424 S 2350 E, MALTA, ID 83342-8629; has filed Application No. 81144 for changes to the following water rights within CASSIA County(s): Right No(s). 43-189. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the point of diversion of a 1.4 cfs Raft River water right. The current point of diversion is located approximately 0.7 miles north and 1.4 miles east of the center of Malta. The proposed new point of diversion will be located approximately a third of a mile downstream of the currently authorized diversion point.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301, together with a protest fee of \$25.00 for

✓ OK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

1 with Falls, ID 03001 together with a protest fee of \$25.00 for each application on or before September 19, 2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PUBLISH: September 1 and 8, 2016

✓ OK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	410.58
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	410.58
Fax			
Section	Legals	Start/End Dates	09/01/2016 - 09/08/2016
SubSection		Insertions	2
Category	50 Legal	Size	276
Ad Key	31352-1	Salesperson(s)	Ruby Aufderheide
Keywords	Sand Springs-Branch-Southfield-Knudsen	Taken By	Janet Cranney
Notes			

Ad Proof

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

36-17052
SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118
 Point of Diversion NENWNE S21 T08S R14E GOODING County
 Source GROUND WATER Tributary
 Point of Diversion (Injection) NWNE S21 T08S R14E GOODING
 County Source GROUND WATER Tributary
 Point of Diversion (Rediversion) NWNW S21 T08S R14E
 GOODING County Source GROUND WATER Tributary
 Use: WILDLIFE 10/15 to 11/15 1.62 CFS
 Use: WILDLIFE 11/15 to 02/15 2.43 CFS
 Total Diversion: 2.43 CFS
 Date Filed: 7/15/2015
 Place Of Use: WILDLIFE
 T08S R14E S17 NWSE SWSE
 T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE
 SESE
 T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE
 SWSE SESE
 T08S R14E S22 NWSW
 Application proposes to divert up to 2.43 cfs of groundwater from
 an existing irrigation well, then inject the diverted groundwater
 into Sand Springs Creek, and then redirect the groundwater
 from Sand Springs Creek. This will provide for seepage water
 associated with 19 existing &/or proposed ponds on a farm located
 approximately 3.0 to 4.6 miles south and 5.0 to 7.5
 miles west of the center of Wendell.

36-17053
SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118
 Point of Diversion SWNWNW S21 T08S R14E GOODING
 County Source SAND SPRINGS CREEK Tributary SNAKE
 RIVER
 Use: WILDLIFE 10/15 to 11/15 2.87 CFS
 Use: WILDLIFE 11/15 to 02/15 6.4 CFS
 Total Diversion: 6.4 CFS
 Date Filed: 12/21/2015
 Place Of Use: WILDLIFE
 T08S R14E S17 NWSE SWSE
 T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE
 SESE
 T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE
 SWSE SESE
 T08S R14E S22 NWSW
 Application proposes to divert up to 6.4 cfs of water from Sand
 Springs Creek to provide for flow through water associated with
 19 existing &/or proposed wildlife ponds on a farm located
 approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west
 of the center of Wendell.

✓ OK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 80482

SAND SPRINGS LP, PO BOX 9, DUNDEE, IL 60118; has filed Application No. 80482 for changes to the following water rights within GOODING County(s): Right No(s). 36-16858. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.30 cfs and 15 acre portion of a Sand Springs Creek irrigation right to uses associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell. Water will be diverted to account for pond evaporation &/or initial fill volumes associated with the 19 ponds.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81001

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 81001 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes splitting the stockwater portions off of two ground water rights. The transfer will change the points of diversion and place of use to reflect the actual locations of an existing feedlot operation located approximately 3.0 miles south and 1.0 mile east of the City of Malta. Two existing wells will divert up to 0.40 cfs and 279 AF for domestic and stockwater uses associated with the feedlot.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81110

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81110 for changes to the following water rights within GOODING County(s): Right No(s). 37-22803. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use; points of diversion (PODs) and period of use for a 0.38 cfs and 23.6 acre portion of an irrigation ground water right. Irrigation use will be changed to commercial/stockwater use for a proposed cattle feeding operation to be located within the currently authorized places of use (POU). The changed portion of the water right will be diverted from two proposed wells to be drilled. PODs and POU are located approximately 5.9 to 6.9 miles west and 1.0 to 2.8 miles south of the city center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81111

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81111 for changes to the following water rights within GOODING County(s): Right No(s). 36-17035, 36-17037, 36-7377D, 36-7547D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.21 cfs; 39 acre foot portion from four commercial/stock water rights to a new cattle facility adjacent to the current place of use (POU). Point of diversion (POD) will be from an existing well. POD and POU are located approximately 4.9 to 5.9 miles west and 1.5 to 2.0 miles south of the city center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81144

PAT KNUDSEN and SCOTT KNUDSEN, 1424 S 2350 E, MALTA, ID 83342-8629; has filed Application No. 81144 for changes to the following water rights within CASSIA County(s): Right No(s). 43-189. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the point of diversion of a 1.4 cfs Raft River water right. The current point of diversion is located approximately 0.7 miles north and 1.4 miles east of the center of Malta. The proposed new point of diversion will be located approximately a third of a mile downstream of the currently authorized diversion point.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before September 10, 2016. The

✓ DK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

each application on or before September 15, 2016. The
protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PUBLISH: September 1 and 8, 2016

✓ OK DM
8-29-2016

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	36-17052
36-7136	36-10645	36-17053
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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 25, 2016

SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118

RE: Application For Permit No. 36-17052 & 36-17053

RE: Transfer No. 80482
Water Right No(s). 36-16858

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

Further review of your *Application for Permit No. 36-17053*, which proposes diversion of 5.0 cfs or more reveals that additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation. The attached sheets give details regarding the information which is requested.

Failure to supply the requested information within 30 days from the date of this letter could result in a regional recommendation that the application be declared void, null, and of no further consideration by the Department.

A legal notice of all applications has been prepared and is scheduled for publication in the **TIMES NEWS** on **9/1/2016 and 9/8/2016**. Protests to these applications may be submitted for a period ending ten (10) days after the second publication (**September 19, 2016**).

If the application(s) is protested, you will be sent a copy of each protest. All protests must be resolved before the application(s) can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application(s) is not protested, the Department will process your application(s) and notify you of any action taken on the application. If your application(s) is approved, the Department will send you a copy of the permit(s) &/or approved transfer(s).

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
BARKER ROSHOLT & SIMPSON

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 25, 2016 12:41 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on September 1st & 8th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 25, 2016

LEGAL NOTICE DEPARTMENT

TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17052, 36-17053

RE: Transfer No. 80482
Water Right No(s): 36-16858

RE: Transfer No. 81001
Water Right No(s): 43-2455A, 43-2455B, 43-4238A, 43-4238B

RE: Transfer No. 81110
Water Right No(s): 37-22803

RE: Transfer No. 81111
Water Right No(s): 36-17035, 36-17037, 36-7377D, 36-7547D

RE: Transfer No. 81144
Water Right No(s): 43-189

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 19, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

36-17052

SAND SPRINGS LP

PO BOX 9

DUNDEE, IL 60118

Point of Diversion NENWNE S21 T08S R14E GOODING County Source GROUND WATER Tributary

Point of Diversion (Injection) NWNE S21 T08S R14E GOODING County Source GROUND WATER Tributary

Point of Diversion (Rediversion) NWNW S21 T08S R14E GOODING County Source GROUND WATER Tributary

Use: WILDLIFE 10/15 to 11/15 1.62 CFS

Use: WILDLIFE 11/15 to 02/15 2.43 CFS

Total Diversion: 2.43 CFS

Date Filed: 7/15/2015

Place Of Use: WILDLIFE

T08S R14E S17 NWSE SWSE

T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE SESE

T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE SWSE SESE

T08S R14E S22 NWSW

Application proposes to divert up to 2.43 cfs of groundwater from an existing irrigation well, then inject the diverted groundwater into Sand Springs Creek, and then redivert the groundwater from Sand Springs Creek. This will provide for seepage water associated with 19 existing &/or proposed ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell.

36-17053

SAND SPRINGS LP

PO BOX 9

DUNDEE, IL 60118

Point of Diversion SWNWNW S21 T08S R14E GOODING County Source SAND SPRINGS CREEK Tributary
SNAKE RIVER

Use: WILDLIFE 10/15 to 11/15 2.87 CFS

Use: WILDLIFE 11/15 to 02/15 6.4 CFS

Total Diversion: 6.4 CFS

Date Filed: 12/21/2015

Place Of Use: WILDLIFE

T08S R14E S17 NWSE SWSE

T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE SESE

T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE SWSE SESE

T08S R14E S22 NWSW

Application proposes to divert up to 6.4 cfs of water from Sand Springs Creek to provide for flow through water associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80482

SAND SPRINGS LP, PO BOX 9, DUNDEE, IL 60118; has filed Application No. 80482 for changes to the following water rights within GOODING County(s): Right No(s). 36-16858. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.30 cfs and 15 acre portion of a Sand Springs Creek irrigation right to uses associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell. Water will be diverted to account for pond evaporation &/or initial fill volumes associated with the 19 ponds.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81001

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 81001 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes splitting the stockwater portions off of two ground water rights. The transfer will change the points of diversion and place of use to reflect the actual locations of an existing feedlot operation located approximately 3.0 miles south and 1.0 mile east of the City of Malta. Two existing wells will divert up to 0.40 cfs and 279 AF for domestic and stockwater uses associated with the feedlot.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81110**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81110 for changes to the following water rights within GOODING County(s): Right No(s). 37-22803. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use; points of diversion (PODs) and period of use for a 0.38 cfs and 23.6 acre portion of an irrigation ground water right. Irrigation use will be changed to commercial/stockwater use for a proposed cattle feeding operation to be located within the currently authorized places of use (POU). The changed portion of the water right will be diverted from two proposed wells to be drilled. PODs and POU are located approximately 5.9 to 6.9 miles west and 1.0 to 2.8 miles south of the city center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81111**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81111 for changes to the following water rights within GOODING County(s): Right No(s). 36-17035, 36-17037, 36-7377D, 36-7547D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.21 cfs; 39 acre foot portion from four commercial/stock water rights to a new cattle facility adjacent to the current place of use (POU). Point of diversion (POD) will be from an existing well. POD and POU are located approximately 4.9 to 5.9 miles west and 1.5 to 2.0 miles south of the city center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81144**

PAT KNUDSEN and SCOTT KNUDSEN, 1424 S 2350 E, MALTA, ID 83342-8629; has filed Application No. 81144 for changes to the following water rights within CASSIA County(s): Right No(s). 43-189. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the point of diversion of a 1.4 cfs Raft River water right. The current point of diversion is located approximately 0.7 miles north and 1.4 miles east of the center of Malta. The proposed new point of diversion will be located approximately a third of a mile downstream of the currently authorized diversion point.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before September 19, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 1st & 8th, 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 25, 2016

NATHAN ERICKSON
WATER DISTRICT #130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Via hand delivery

RE: Application For Permit No.(s): 36-17052, 36-17053

RE: Transfer No. 80482
Water Right No(s). 36-16858

RE: Transfer No. 81110
Water Right No(s). 37-22803

RE: Transfer No. 81111
Water Right No(s). 36-17035, 36-17037, 36-7377D, 36-7547D

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,


Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 25, 2016

IDAHO DEPT OF FISH & GAME
324 S 417 E, STE 1
JEROME, ID 83338

RE: Application for Permit No. 36-17052 & 36-17053

RE: Transfer No. 80482
Water Right No(s). 36-16858

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application, or you may visit our website at www.idwr.idaho.gov.

Sincerely,


Denise Maline
Southern Region

Enclosure(s)

Skinner, Corey

From: Skinner, Corey
Sent: Thursday, August 25, 2016 10:25 AM
To: 'Paul Arrington'; 'Erick Powell'
Subject: Sand Springs Applications

Gents,

I plan on forwarding the Sand Springs Applications for Permit (36-17052 and 36-17053) and Transfer # 80482 to Denise this morning so she can begin working on the legal notice(s). These two applications for permit and transfer are associated with the 19 ponds on the property, excluding the four on-stream ponds associated with right 36-15160 and transfer # 80481. I plan on processing transfer # 80481 without advertising since it is basically a "paper change" to record actual historical locations and should have no hydrologic impact. For the three applications being advertised, they should be published on September 1st and 8th, with a protest deadline of the 19th of September.

One important remaining item of note relates to the need for the submittal of a "206 map". Transfer # 80482 dries up 15 acres and the "Contingent Notice of Abandonment of Portion of Water Right 36-16858" dries up another 5 acres of right 36-16858 for a total acre reduction of 20 acres. Currently right 36-16858 is in a permissible place of use with six other rights (36-15159, 36-2016, 36-7136, 36-7163, 36-7452, and 36-7453) with all seven rights allowing for a combined total irrigation of 952 acres (per transfer # 80346 approval). We will need a map indicating what 932 acres (952 minus 20) will be irrigated after the acre reduction. **This map will have to be submitted before the applications can be approved.** Ideally, this map should be submitted before the applications hit the newspapers.

Let me know if you have any questions,

Corey

MEMORANDUM

Date: August 25, 2016
To: Transfer 80482 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes converting a 0.30 cfs and 15 acre portion of a Sand Springs Creek irrigation right, 36-16858, to uses associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 - 4.6 miles south and 5.0 – 7.5 miles west of the center of Wendell. Water will be diverted to account for pond evaporation &/or initial fill volumes associated with the 19 ponds. Note that companion applications for permit 36-17052 and 36-17053 also propose to provide additional water to the same 19 ponds. Also note that the Transfer # 80482 application includes a copy of a document entitled "Contingent Notice of Abandonment of Portion of Water Right 36-16858". This document intends to serve as a relinquishment/abandonment of an additional 5 acre & 0.10 cfs portion of right 36-16858 in order to address possible issues/concerns by a downstream user (Idaho Power). If Transfer # 80482 is approved, right 36-16858 will be reduced by 0.40 cfs and 20 acres. Currently right 36-16858 authorizes the irrigation of 128.1 acres and is used in combination with rights 36-15159, 36-2016, 36-7136, 36-7163, 36-7452, and 36-7453 to irrigate a combined total of 952 acres (per approved Transfer # 80346). The 0.40 cfs and 20 acre reduction of right 36-16858 will also result in a reduction of the combined 952 acre limit for the rights used to currently irrigate the 952 acres. For this reason, rights 36-15159, 36-2016, 36-7136, 36-7163, 36-7452, and 36-7453 have been included in Transfer # 80482 as associated rights so that their combined use limit conditions can be adjusted accordingly. Right 36-16858 is diverted within Water District 130, so water master comments will be 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 2001 and the right was recently involved with Transfer # 80346 (approved in October of 2015). 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. The application will be subject to public notice and protest.
- **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

TO: Transfer # 80482 File

FROM: Corey Skinner

DATE: August 24, 2016

SUBJECT: Filing Fee

The filing fee, \$750, for this transfer is based on the total amount of water being transferred, 0.30 cfs plus the \$250.00 change in nature of use fee. The transfer fee schedule for a transfer involving 0.20 – 1.00 cfs indicates that the filing fee is \$500.00 when the \$250.00 change in nature of use fee is added, the total filing fee of \$750.00 is obtained. Note that \$570.00 of this fee was receipted on 7/15/2015 (receipt # S034906) and the additional \$180.00 of this fee was receipted on 12/21/2015 (receipt # S035163).

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Wednesday, August 24, 2016 3:55 PM
To: Skinner, Corey
Cc: Paul Arrington
Subject: FW: Sand Springs Transfer
Attachments: Sand Springs Transfer 2 Revised Page 3.pdf

Corey, see the email from Erick below. Please replace this page in the Transfer 2 application.

Also, please adjust the place of use in accordance with Erick Powell's email of August 23, 2016.

Thanks!

Paul L. Arrington
Barker Rosholt & Simpson, LLP
208-733-0700 – Office
208-404-9436 – Cell
208-735-2444 – Fax

CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.

From: Erick Powell [mailto:erick.powell@brockwayeng.com]
Sent: Tuesday, August 23, 2016 10:06 AM
To: Paul Arrington <pla@idahowaters.com>
Subject: Sand Springs Transfer

Dear Corey,

Thank you for your quick overall review of the Sand Springs Ranch water right applications for transfers and permits. Originally, we limited the volume of 'Transfer 2' (the transfer converting irrigation water to wildlife storage and diversion to storage) to 8.5 acft. At a flow rate of 0.30 cfs, our client could divert more than 8.5 acft, so we have adjusted page 3 of the transfer to reflect the period of diversion only allowed between 10/15 and 11/15, but the volume of storage could be as high as 17.85 acft.

Thanks,
Erick

G. Erick Powell, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, #4
Twin Falls, Idaho 83301
Office: 208-736-8543
erick.powell@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via email are preliminary unless explicitly stated in the email text or in the documents themselves.

Skinner, Corey

From: Erick Powell [erick.powell@brockwayeng.com]
Sent: Tuesday, August 23, 2016 3:32 PM
To: Skinner, Corey; 'Paul Arrington'
Subject: RE: Sand Springs Ranch Place of Use Discrepancies

Corey,
Thanks for visiting with me about the places of use for the applications for permit/transfer.

I concur that the Green Group ponds are entirely covered by water right no. 36-15160, and should not be in the place of use for diversion to storage or wildlife storage under Transfer 2.

The place of use for Transfer 2 and Permits 1 and 2 should be as follows:

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	17														X	X		
08S	14E	20		X	X					X	X				X	X		X	
08S	14E	21			X	X		X	X		X					X	X	X	
08S	14E	22										X							

This table should correspond with the maps submitted with the application documents.

Thanks,
Erick

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Tuesday, August 23, 2016 11:57 AM
To: Paul Arrington; Erick Powell
Subject: Sand Springs Ranch Place of Use Discrepancies

Gents,

While looking over these applications, it looks like the place(s) of use described on the applications do not appear to match the areas shown on the maps that accompanied the applications. Assuming the maps are correct, I believe the proposed place of use for the two applications for permit and the transfer that proposes to modify the 15 acre portion of the Sand Springs Creek Irrigation right (36-16858) should be the following...

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	17														X	X		
08S	14E	20		X	X					X	X				X	X		X	
08S	14E	21			X	X		X	X		X					X	X	X	
08S	14E	22										X							

It looks like on the two applications for permit (36-17052 for groundwater and 36-17053 for Sand Springs Creek water) the NWSW of Section 21 was incorrectly identified as part of the place of use (no pond shown on the map in this tract). The rest of the description(s) match what is indicated on the maps.

The transfer application, # 80482 that proposes to modify the 15 acre portion of the Sand Springs Creek Irrigation right (36-16858), looks like it may incorrectly identify some of the tracts where the on-stream ponds on Sand Springs Creek are located (Ponds A, B, C, and D indicated by green areas on maps). These are the ponds covered in the other transfer involving right 36-15160. I believe the place of use description for this transfer should be exactly the same as the two applications for permit.

If one, or both of you, can look this over and let me know which direction to move forward with regards to the place(s) of use it would be much appreciated.

Thanks,

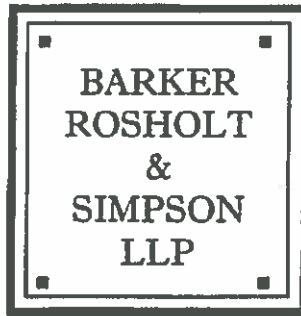
Corey

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7752 / Virus Database: 4649/12856 - Release Date: 08/22/16

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

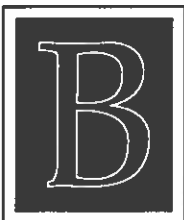
163 2nd Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

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
80482

36-7762



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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,

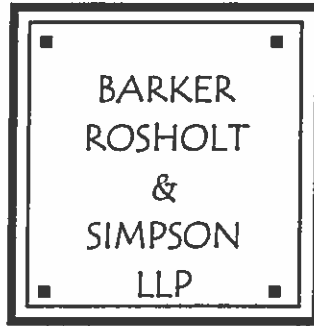
G. Erick Powell, Ph.D., P.E.

enclosed

cc: Charlie Potter
Paul Arrington

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.