

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80895

This is to certify that: BIG CREEK RANCH LLC
PO BOX 5987
KETCHUM, ID 83340-5987

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
73-2102	WR/DECREED	7/19/1915	2.400 cfs	N/A	255.3	951.2	BIG CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
73-2102	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
73-2102	73-2102	2.400 cfs	N/A	255.3	951.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.400 cfs	N/A	255.3	951.2		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 12th day of July, 2016.


PAMELA S. SKAGGS, Water Rights Supervisor

WATER RIGHT NO. 73-2102**As Modified by Transfer No. 80895**

In accordance with the approval of Transfer No. 80895, Water Right No. 73-2102 is now described as follows:

Right Holder: BIG CREEK RANCH LLC
PO BOX 5987
KETCHUM, ID 83340-5987

Priority Date: 7/19/1915

Source: BIG CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

2.400 cfs

2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG CREEK	NENW	Sec 13 Twp 13N Rge 23E	CUSTER County	
BIG CREEK	NESE	Sec 13 Twp 13N Rge 23E	LEMHI County	
BIG CREEK	SESW	Sec 27 Twp 13N Rge 23E	CUSTER County	(I)
BIG CREEK	SESW	Sec 27 Twp 14N Rge 22E	LEMHI County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	22E	16											7.2						7.2
14N	22E	17			6.7		10.0	40.0	40.0	39.0	40.0	40.0	33.0	40.0	7.4	32.0	40.0	38.0	406.1
14N	22E	18	40.0			40.0									40.0			11.0	131.0
14N	22E	20	40.0	39.7		39.5	39.0												158.2
14N	22E	21					12.0	37.0	40.0	40.0	40.0	39.7				40.0			248.7

Right Acre Limit: 255.3

POU Total Acres: 951.2

CONDITIONS OF APPROVAL

1. Rights 73-157, 73-158, 73-2102 and 73-2155 when combined shall not exceed the irrigation of 255.3 acres.
2. Rights 73-157, 73-158, 73-2102, 73-2155 and 73-12234 when combined shall not exceed the irrigation of 323.5 acres.
3. Rights 73-157, 73-158, 73-2102, 73-2155, 73-7022, 73-12179, 73-12218, 73-12233 and 73-12234 when combined shall not exceed a total diversion rate of 28.92 cfs and the irrigation of 951.2 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.

Transfer No. 80895

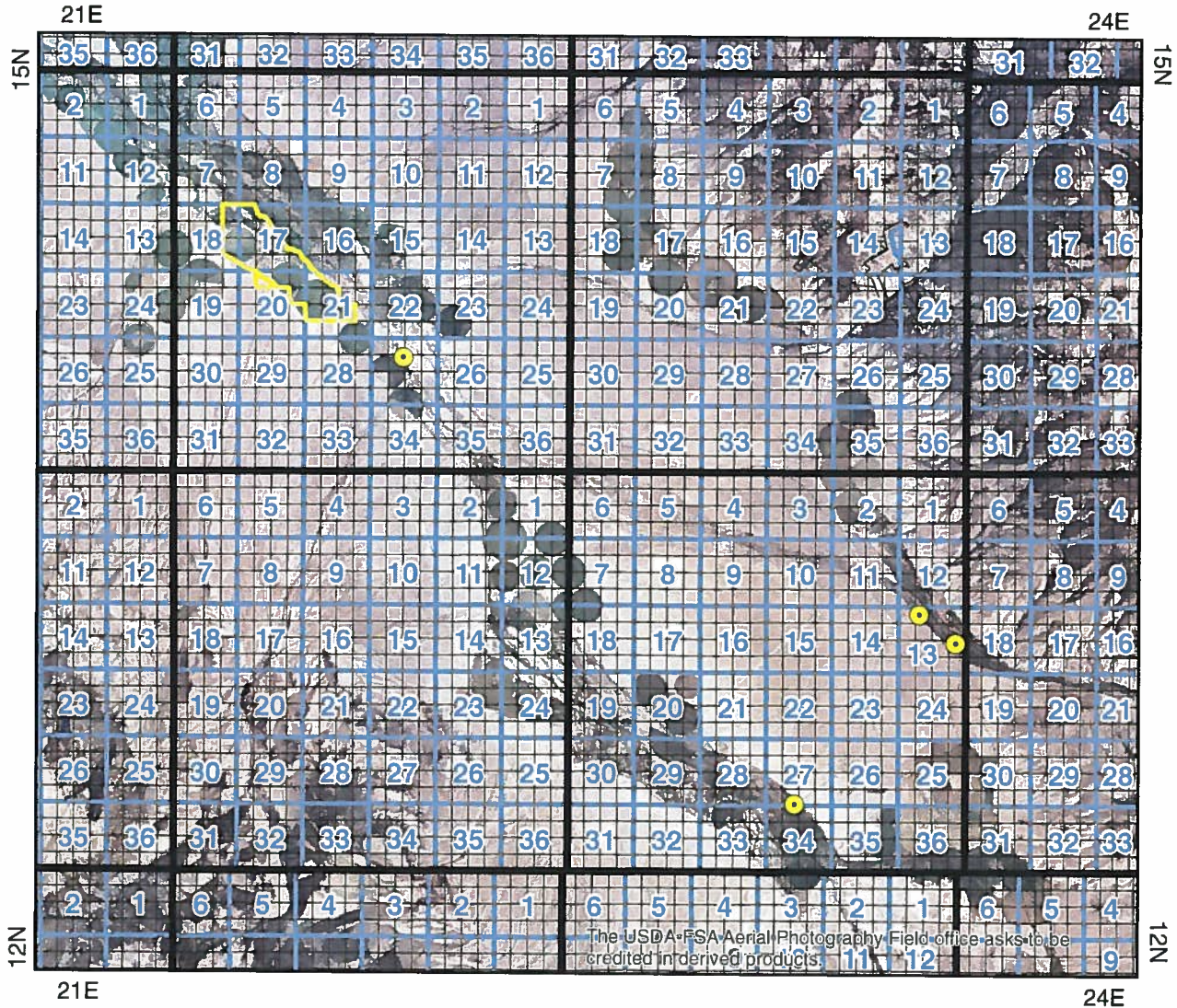
WATER RIGHT NO. 73-2102
As Modified by Transfer No. 80895

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Goldburg Creek and at the point of rediversion from the Pahsimeroi River.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. Right Nos. 73-32, 73-2102, 73-10023, 73-10041 and 73-12110 are diverted through the points of diversion described above.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer 80895
73-2102

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 1.75 3.5 7 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 18, 2016

BIG CREEK RANCH LLC
PO BOX 5987
KETCHUM ID 83340-5987

Re: Transfer No: 80895
Water Right No(s): 73-2102

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)287-4800.

Sincerely,



Pamela S Skaggs

Water Rights Supervisor

Enclosure(s)

c: SPF WATER ENGINEERING LLC

WATER DISTRICT #73

IDWR COMPLIANCE BUREAU

Hand Delivery

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT

TRANSFER NO. 80878
FLYING JOSEPH RANCH LLC, C/O JOSEPH CLARK

7213 PERIMETER RD S, SEATTLE, WA 98108; has filed Application No. 80878 for changes to the following water rights within CUSTER, LEMHI County(s): Right No(s). 73-10023, 73-10041, 73-12110, 73-32; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Add a point of diversion in NESE, Section 13, T13N, R23E.

TRANSFER NO. 80895

BIG CREEK RANCH LLC, PO BOX 5987, KETCHUM, ID 83340-5987; has filed Application No. 80895 for changes to the following water rights within CUSTER, LEMHI County(s): Right No(s). 73-2102; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Add a point of diversion in the NESE, Section 13, T13N, R23E.

TRANSFER NO. 80833

LEADORE LAND PARTNERS LP, PO BOX 16025, MISSOULA, MT 59808; has filed Application No. 80833 for changes to the following water rights within LEMHI County(s): Right No(s). 74-13, 74-15, 74-161, 74-162, 74-163, 74-23, 74-24, 74-26, 74-7064, 74-7271; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to rearrange 242.6 acres of irrigation use on existing full & half pivots located generally in the S1/2SW & SWSE of S23, & N1/2NW & NE of S26, T16N, R26E; & describe conveyance of surface water rights in a new pipeline.

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **NOTICE OF PROPOSED CHANGE**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **6-2-2016** and ending with the issue dated **6-9-2016**.

STATE OF IDAHO

County of Lemhi

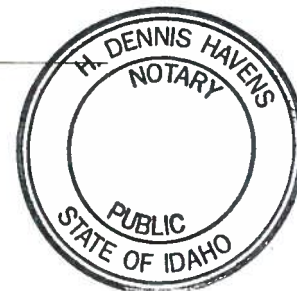
ss.

On this **7th day of July** in this year of 2016 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.


Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 11-30-2018



RECEIVED

JUL 11 2016

DEPARTMENT OF
WATER RESOURCES

Handwritten note:
Sent
7-11-16

Publication Fee \$241.20

TRANSFER NO. 80831

LEADORE LAND PARTNERS LP, PO BOX 16025, MISSOULA, MT 59808; has filed Application No. 80831 for changes to the following water rights within LEMHI County(s): Right No(s). 74-14, 74-23, 74-24, 74-26, 74-7064, 74-7271; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to rearrange 254.8 acres of irrigation use on two existing pivots located generally in the S1/2NW & SW of S26, & N1/2NW of S35, T16N, R26E; add a new well, & describe conveyance of surface water rights in a new pipeline.

TRANSFER NO. 80834

LEADORE LAND PARTNERS LP, PO BOX 16025, MISSOULA, MT 59808; has filed Application No. 80834 for changes to the following water rights within LEMHI County(s): Right No(s). 74-162, 74-163, 74-164, 74-7064, 74-7271; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

to rearrange 155.6 acres of irrigation use on two existing partial pivots located generally in the S1/2NE, SESW & SE of S27, & NENE of S34, T16N, R26E; change the ground water point of diversion to an existing well & remove a point of diversion from Canyon Creek.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 6/20/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director



IDAHO DEPARTMENT OF FISH AND GAME
SALMON REGION
99 Highway 93 North
Salmon, Idaho 83467

RECEIVED

JUN 20 2016

DEPARTMENT OF
WATER RESOURCES

Via email 6-15-16

C.L. "Butch" Otter / Governor
Virgil Moore / Director

June 15, 2016

State of Idaho Department of Water Resources
ATTN: Jean Hersley, Technical Records Specialist II
322 East Front Street
P.O. Box 83720
Boise, ID 83720

Big Creek Ranch LLC
P.O. Box 5987
Ketchum, ID 83340

RE: Water Right Application for Transfer No. 80895

Dear Jean and Big Creek Ranch LLC:

The IDFG has reviewed the application for Transfer no. 80895 submitted by Big Creek Ranch LLC (Applicant).

IDFG would like to reinstate that under the conditions of approval; prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the IDFG. Based on the detail of the Water Right Transfer application and above stated general conditions of approval, the IDFG has no additional environmental or wildlife comments relative to this application. If you have any questions, please contact the Region's Environmental Staff Biologist, Jeff Richards at (208) 756-2271.

Sincerely,

Jeff Richards
signed for

Tom Curet
Regional Supervisor

Keeping Idaho's Wildlife Heritage

Equal Opportunity Employer • 208-334-3700 • Fax: 208-334-2114 • Idaho Relay (TDD) Service: 1-800-377-3529 •
<http://fishandgame.idaho.gov>

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 13 2016

DEPT OF WATER RESOURCES

State of Idaho, County of Custer, ss:

I, Anna Means, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated June 2 2016 and ending with the issue dated June 9 2016

Anna Means

STATE OF IDAHO

COUNTY OF CUSTER

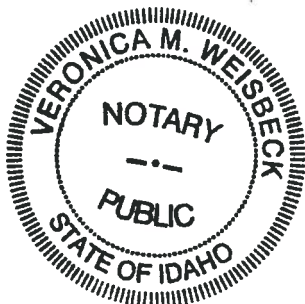
On this 9th day of June in the year of 2016, before me, a Notary Public,

personally appeared Anna Means, known or identified to me to be the person whose name, subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Veronica M. Weisbeck
Notary Public for Idaho

Residing at Challis, Idaho

My commission expires: 11/9/21



**NOTICE OF PROPOSED
CHANGE WATER RIGHT
TRANSFER NO. 80878**

FLYING JOSEPH RANCH LLC,
C/O JOSEPH CLARK
7213 PERIMETER RD S,
SEATTLE, WA 98108; has filed
Application No. 80878 for
changes to the following water
rights within CUSTER, LEMHI
County(s): Right No(s). 73-10023,
73-10041, 73-12110, 73-32; to
see a full description of these
rights and the proposed transfer,
please see [www.idwr.idaho.gov/
apps/wr/QueryNewTransfers/
QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The
purpose of the transfer is to
change a portion of the above
rights as follows:

Add a point of diversion in
NESE, Section 13, T13N, R23E.

TRANSFER NO. 80895

BIG CREEK RANCH LLC, PO
BOX 5987, KETCHUM, ID
83340-5987; has filed
Application No. 80895 for
changes to the following water
rights within CUSTER, LEMHI
County(s): Right No(s). 73-2102;
to see a full description of these
rights and the proposed transfer,
please see [www.idwr.idaho.gov/
apps/wr/QueryNewTransfers/
QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The
purpose of the transfer is to
change a portion of the above
rights as follows:

Add a point of diversion in the
NESE, Section 13, T13N, R23E.

For additional information
concerning the property location,
contact IDWR State office at (208)
287-4800; or for a full descrip-
tion of the transfer, please see
[http://www.idwr.idaho.gov/
WaterManagement/WaterRights/
WaterRightTransfers/resources.
htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm) Protests may be submitted
based on the criteria of Idaho
Code Sec. 42-222.

Any protest against the pro-
posed change must be filed with
the Department of Water
Resources, 322 E Front St, PO
Box 83720, Boise ID 83720-0098
together with a protest fee of
\$25.00 for each application on or
before 6/20/2016. The protes-
tant must also send a copy of the
protest to the applicant.

GARY SPACKMAN, Director
Published: June 2 and 9,
2016

Handwritten: 6-14-16