

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80878

This is to certify that: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

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>
73-10023	WR/DECREED	4/17/1915	9.600 cfs	N/A	N/A	370.6	BIG CREEK
73-10041	WR/DECREED	11/24/1909	7.200 cfs	N/A	N/A	2365.6	BIG CREEK
73-12110	WR/DECREED	4/1/1969	32.800 cfs	N/A	N/A	2365.6	BIG CREEK
73-32	WR/DECREED	6/1/1917	2.400 cfs	N/A	N/A	73.0	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>
73-10023	NO	NO	NO	YES	NO	NO
73-10041	NO	NO	NO	YES	NO	NO
73-12110	NO	NO	NO	YES	NO	NO
73-32	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>
73-10023	73-10023	9.600 cfs	N/A	N/A	370.6	N/A	N/A	N/A	N/A	N/A
73-10041	73-10041	7.200 cfs	N/A	N/A	2365.6	N/A	N/A	N/A	N/A	N/A
73-12110	73-12110	32.800 cfs	N/A	N/A	2365.6	N/A	N/A	N/A	N/A	N/A
73-32	73-32	2.400 cfs	N/A	N/A	73.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		52.000 cfs	N/A	N/A	2809.2		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

Transfer No. 80878

WATER RIGHT NO. 73-32**As Modified by Transfer No. 80878**

In accordance with the approval of Transfer No. 80878, Water Right No. 73-32 is now described as follows:

Right Holder: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

Priority Date: 6/1/1917

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 18 Twp 13N Rge 23E	CUSTER County	(R)
BIG CREEK	SESW	Sec 27 Twp 13N Rge 23E	CUSTER County	(I)

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	
13N	22E	13	40.0			21.0													61.0
13N	23E	18										12.0							12.0
												L 3							

POU Total Acres: 73.0

CONDITIONS OF APPROVAL

1. 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.
2. 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 diversions and points of measurement described above.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. 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.

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WATER RIGHT NO. 73-32
As Modified by Transfer No. 80878

CONDITIONS OF APPROVAL

5. 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 Goldburg Creek.
6. This right does not grant any right-of-way or easement across the land of another.
7. Right Nos. 73-32, 73-2102, 73-10023, 73-10041, and 73-12110 are diverted through the points of diversion described above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

WATER RIGHT NO. 73-10023**As Modified by Transfer No. 80878**

In accordance with the approval of Transfer No. 80878, Water Right No. 73-10023 is now described as follows:

Right Holder: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

Priority Date: 4/17/1915

Source: BIG CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

9.600 cfs

9.600 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	SWNW	Sec 28 Twp 13N Rge 23E	CUSTER County	(R)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	20		0.9	29.0	3.3	26.0	40.0	34.0	40.0	32.0			1.8	32.0	40.0	29.0	39.0	347.0
13N	23E	29	23.0	0.5		0.1													23.6

POU Total Acres: 370.6

CONDITIONS OF APPROVAL

1. Rights 73-15A, 73-188B, 73-2162, 73-4001, 73-4003, 73-10023 and 73-10024 when combined shall not exceed the irrigation of 370.6 acres in a single irrigation season.
2. Rights 73-15A, 73-150C, 73-188B, 73-2159, 73-2162, 73-4001, 73-4003, 73-10023 and 73-10024 when combined shall not exceed the irrigation of 926.0 acres in a single irrigation season.
3. Rights 73-15A, 73-150C, 73-188B, 73-2159, 73-2162, 73-4001, 73-4003, 73-10023, 73-10024, 73-12171, and 73-12172 when combined shall not exceed the irrigation of 1074.8 acres in a single irrigation season.
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.

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WATER RIGHT NO. 73-10023
As Modified by Transfer No. 80878

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 diversions and points of measurement described above.
6. 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.
7. 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.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No.s 73-32, 73-2102, 73-10023, 73-10041, and 73-12110 are diverted through points of diversion described above.
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.

WATER RIGHT NO. 73-10041**As Modified by Transfer No. 80878**

In accordance with the approval of Transfer No. 80878, Water Right No. 73-10041 is now described as follows:

Right Holder: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

Priority Date: 11/24/1909

Source: BIG CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
AESTHETIC STORAGE	01/01	to 12/31		59.1 af
DIVERSION TO STORAGE	04/01	to 10/31	0.140 cfs	
IRRIGATION	04/01	to 10/31	7.060 cfs	
RECREATION STORAGE	01/01	to 12/31		59.1 af
WILDLIFE STORAGE	01/01	to 12/31		59.1 af
			7.200 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	SWSWSE	Sec 20 Twp 13N Rge 23E	CUSTER County	(R)
BIG CREEK	SESW	Sec 27 Twp 13N Rge 23E	CUSTER County	(I)

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	19													X			X	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	22E	1							19.0				35.0	41.0					95.0
13N	22E	2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
			L 1	L 2															
13N	22E	11	37.0			33.0									27.0			29.0	126.0
13N	22E	12		0.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N	22E	13		23.0	12.0		15.0	37.0	9.9	16.0	0.2		9.8			23.0		34.0	179.9
13N	22E	14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N	22E	23	40.0		37.0	23.0	40.0								12.0				152.0
13N	22E	24	8.0	0.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N	23E	18											18.0						18.0
													L 4						
13N	23E	19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
								L 1	L 2			L 3	L 4						
13N	23E	20										27.0							27.0
13N	23E	29						37.0	40.0			28.0							105.0
13N	23E	30	40.0	40.0	40.0	40.0	40.0	25.0											225.0

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WATER RIGHT NO. 73-10041**As Modified by Transfer No. 80878****PLACE OF USE: IRRIGATION**

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								L 1											

POU Total Acres: 2365.6

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	19													X			X	

PLACE OF USE: WILDLIFE STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	19													X			X	

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
2. Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
3. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, 73-12110 when combined shall not exceed the irrigation of 2365.6 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.
5. 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 Goldburg Creek.
6. 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 diversions and points of measurement described above.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 80878

WATER RIGHT NO. 73-10041
As Modified by Transfer No. 80878

CONDITIONS OF APPROVAL

8. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
9. This right does not grant any right-of-way or easement across the land of another.
10. Right No.s 73-32, 73-2102, 73-10023, 73-10041, and 73-12110 are diverted through the points of diversion described above.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

WATER RIGHT NO. 73-12110**As Modified by Transfer No. 80878**

In accordance with the approval of Transfer No. 80878, Water Right No. 73-12110 is now described as follows:

Right Holder: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE, WA 98108

Priority Date: 4/1/1969

Source: BIG CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
AESTHETIC STORAGE	01/01	to 12/31		110.9 af
DIVERSION TO STORAGE	01/01	to 12/31	0.670 cfs	
IRRIGATION	04/01	to 10/31	32.130 cfs	
RECREATION STORAGE	01/01	to 12/31		110.9 af
WILDLIFE STORAGE	01/01	to 12/31	32.800 cfs	110.9 af

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	SWSWSE	Sec 20 Twp 13N Rge 23E	CUSTER County	(R)
BIG CREEK	SESW	Sec 27 Twp 13N Rge 23E	CUSTER County	(I)

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	19													X			X	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	22E	1							19.0			35.0	41.0						95.0
13N	22E	2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
			L 1	L 2															
13N	22E	11	37.0			33.0									27.0			29.0	126.0
13N	22E	12		0.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N	22E	13		23.0	12.0		15.0	37.0	9.9	16.0	0.2		9.8			23.0		34.0	179.9
13N	22E	14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N	22E	23	40.0	37.0	23.0	40.0									12.0				152.0
13N	22E	24	8.0	0.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N	23E	18											18.0						18.0
													L 4						
13N	23E	19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
								L 1	L 2			L 3	L 4						
13N	23E	20										27.0							27.0
13N	23E	29						37.0	40.0			28.0							105.0
13N	23E	30	40.0	40.0	40.0	40.0	40.0	25.0											225.0

Transfer No. 80878

WATER RIGHT NO. 73-12110
As Modified by Transfer No. 80878

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								L 1											

POU Total Acres: 2365.6

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	19													X				X

PLACE OF USE: WILDLIFE STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	19													X				X

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
2. Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
3. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, and 73-12110 when combined shall not exceed the irrigation of 2365.6 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.
5. 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 Goldburg Creek.
6. 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 diversions and points of measurement described above.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

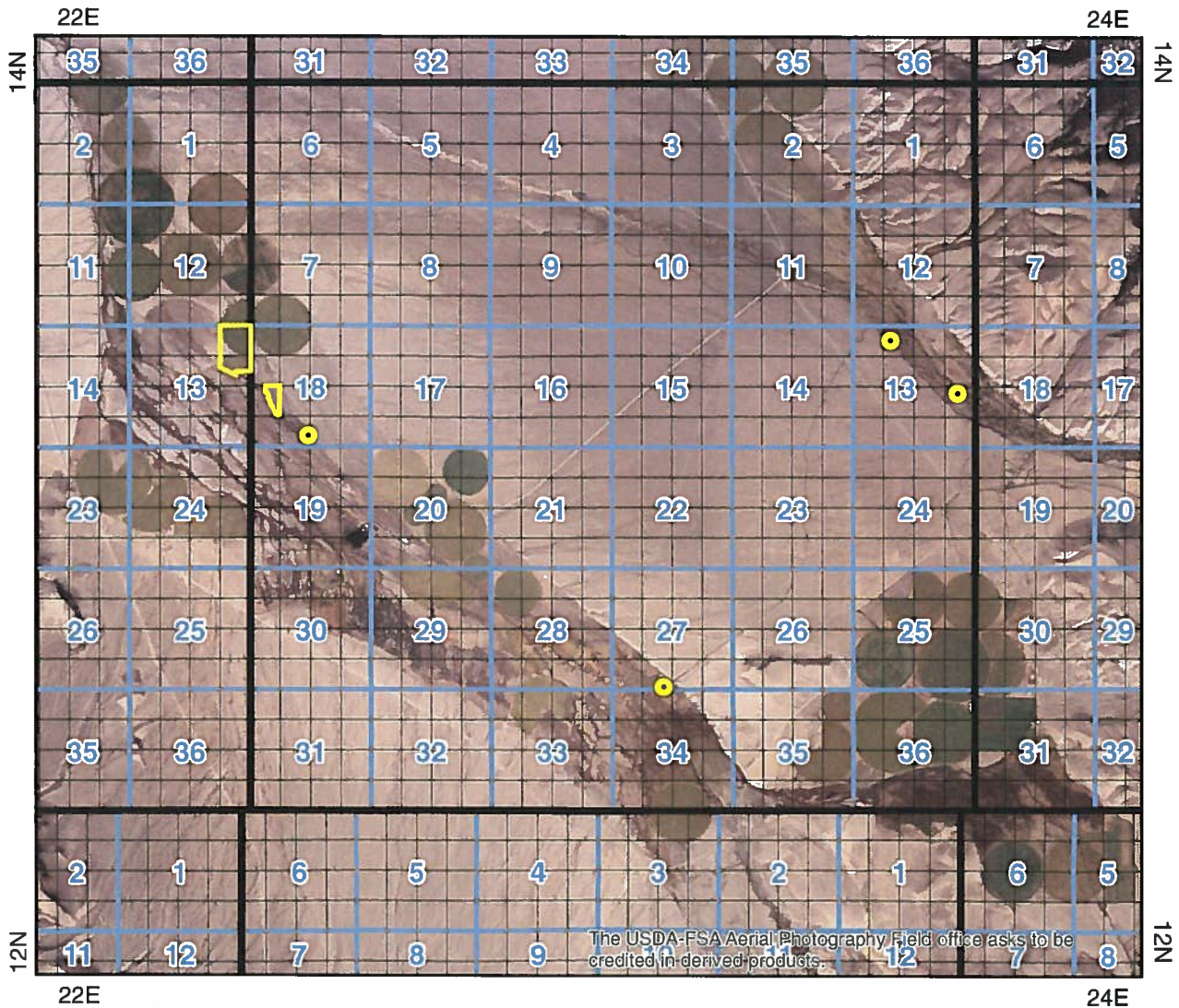
WATER RIGHT NO. 73-12110
As Modified by Transfer No. 80878

CONDITIONS OF APPROVAL

8. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
9. 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.
10. Right No.s 73-32, 73-2102, 73-10023, 73-10041, and 73-12110 are diverted through the points of diversion described above.
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 80878
73-32

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.



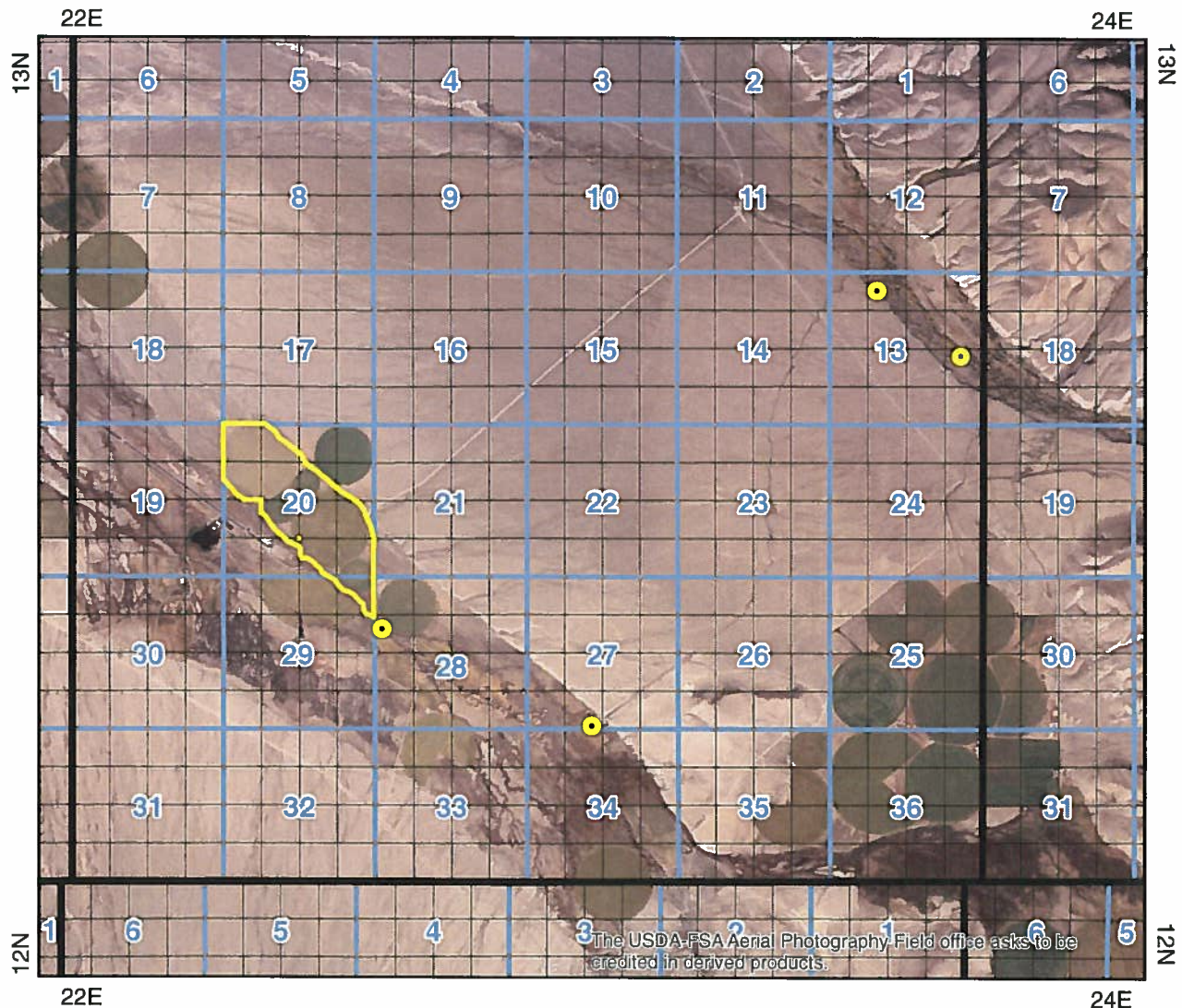
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

Map attachment 1 of 4



State of Idaho
Department of Water Resources
Attachment to Transfer 80878
73-10023

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.



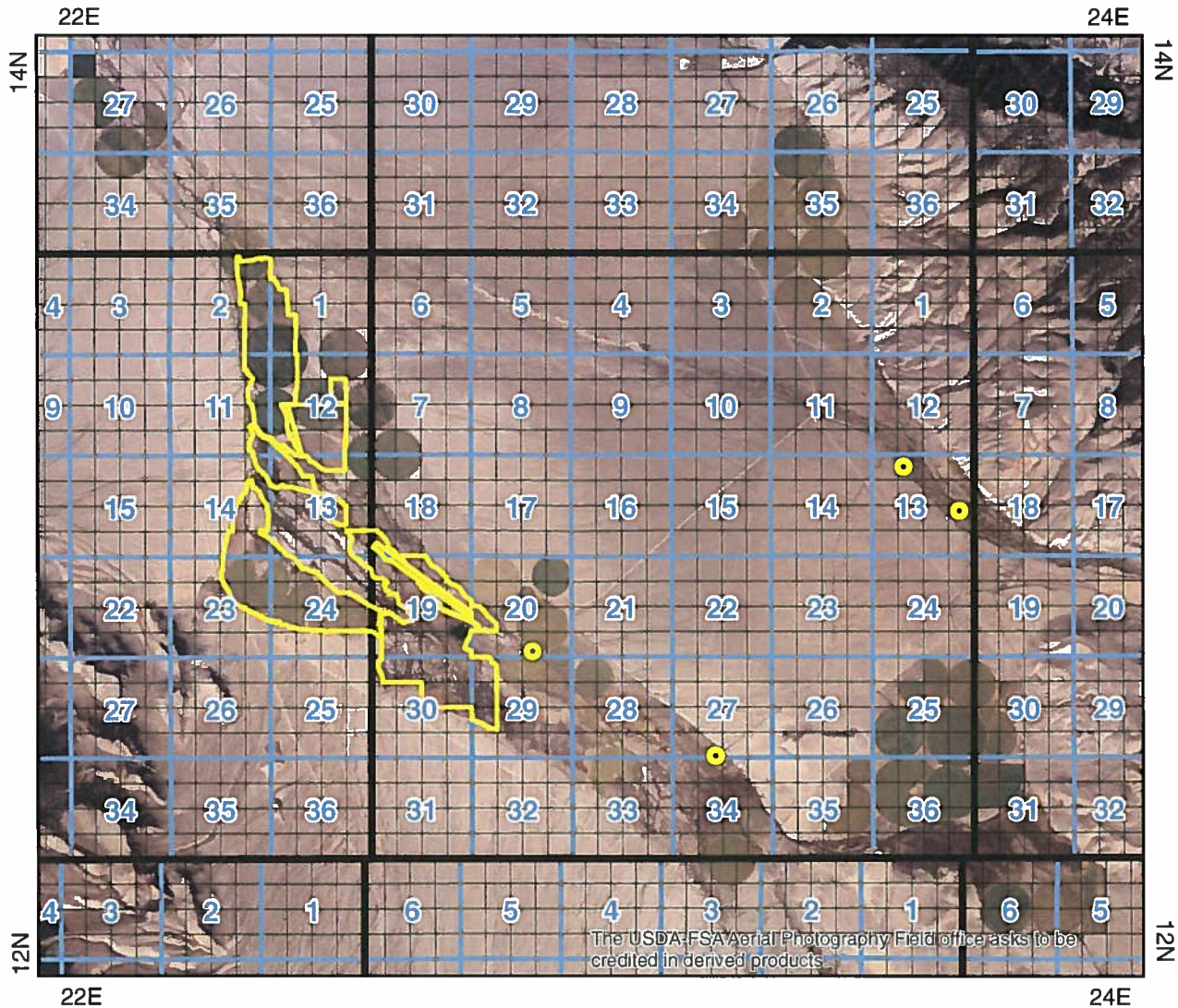
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

Map attachment 2 of 4



State of Idaho
Department of Water Resources
Attachment to Transfer 80878
73-10041 and 73-12110

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



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

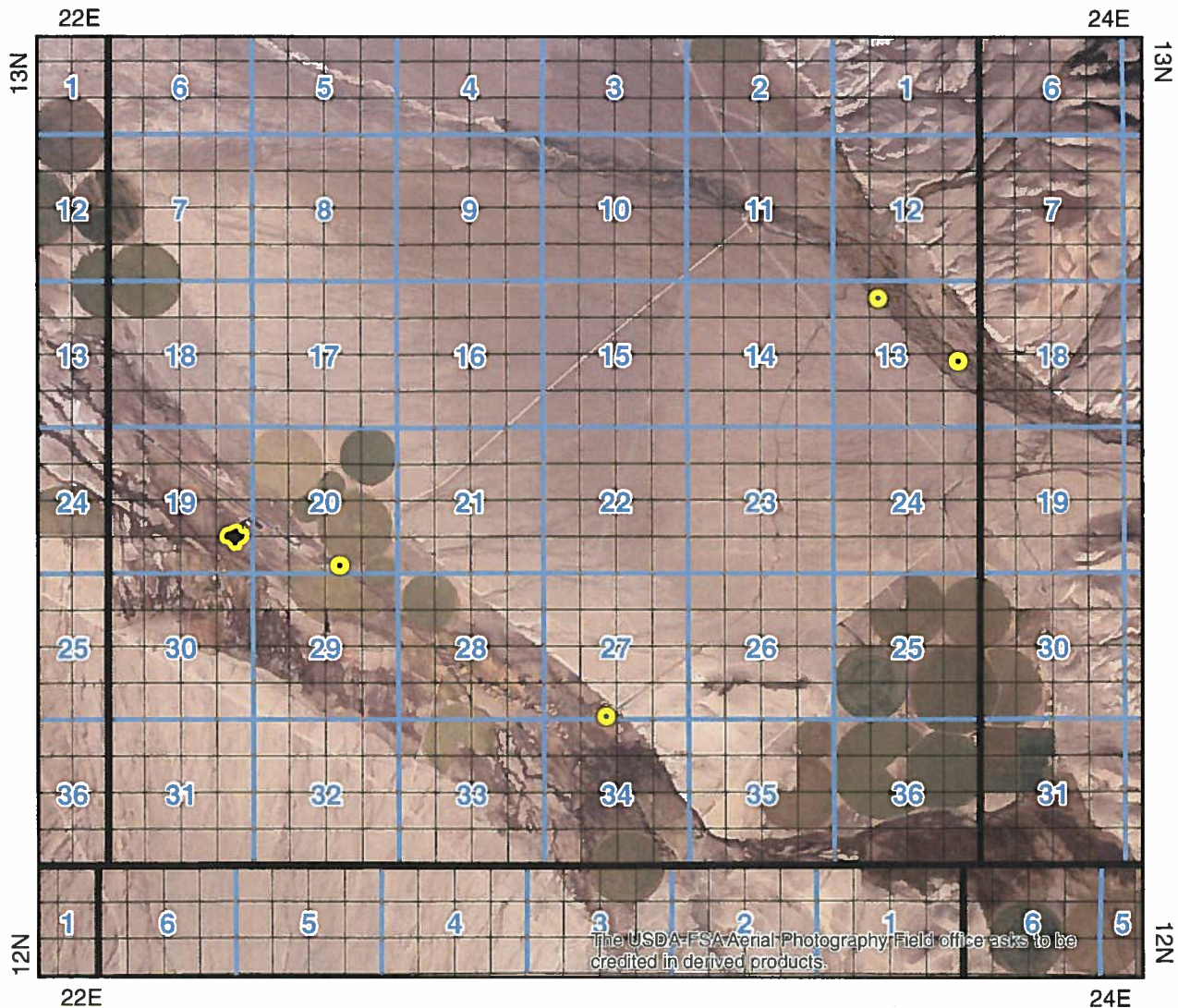
0 1 2 4 Miles

Map attachment 3 of 4



State of Idaho
Department of Water Resources
Attachment to Transfer 80878
73-10041 and 73-12110

This map depicts the AESTHETIC, RECREATION, and WILDLIFE STORAGE place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

Map attachment 4 of 4





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 19, 2016

FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE WA 98108

Re: Transfer No: 80878
Water Right No(s): 73-32, 73-10023, 73-10041, 73-12110

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

c: SPF WATER ENGINEERING LLC

WATER DISTRICT #73

IDWR COMPLIANCE BUREAU



CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80878

Water Right No(s): 73-32, 73-10023, 73-10041, 73-12110

**FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE WA 98108**

**SPF WATER ENGINEERING LLC
C/O ROXANNE BROWN
300 E MALLARD DR STE 350
BOISE ID 83706**

**WATER DISTRICT #73
TED ONEAL
81 FUREY LN
MAY ID 83253**



Darla Block
Technical Records Specialist

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director 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 Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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.

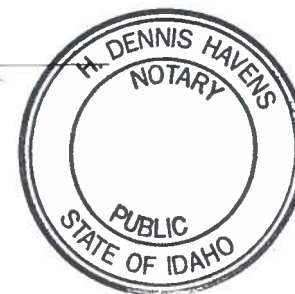
On this **7th day of July** in this year of 2016 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged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

H. Dennis Havens

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 11-30-2018



Publication Fee \$241.20

RECEIVED

JUL 11 2016

DEPARTMENT OF
WATER RESOURCES

*Spk
7-11-16*

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
Vig 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

Flying Joseph Ranch LLC (Joseph Clark)
7213 Perimeter Rd., South
Seattle, WA 98108

RE: Water Right Application for Transfer No. 80878

Dear Jean and Flying Joseph Ranch LLC:

The IDFG has reviewed the application for Transfer no. 80878 submitted by Flying Joseph 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

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,

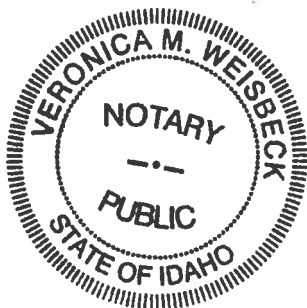
personally appeared Anna Means, known or identified to me to be the person whose name, subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

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. 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.

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
Published: June 2 and 9, 2016

*Q
June
6-14-16*