

10/03

Exchange No. 79612

RECEIVED

OCT 08 2014

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

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant PITCHFORK RANCH LLC C/O GREGORY VIK Telephone No: (208) 764-3904
(Name of Applicant)
PO BOX 1607 BELLEVUE, WA 98009 Email: _____
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged 61-357
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant _____ Telephone No: _____
(Name of Co-applicant)

(Mailing Address) (Zip Code) Email: _____

Co-applicant's Water Right(s) to be exchanged _____
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT -- Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. EXCHANGE INFORMATION -- Complete Part A or Part B to explain how the proposed exchange will operate.

Part A -- For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. made available to the co-applicant for diversion at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

WITHDRAWN

Part B-- For an exchange involving only the applicant's water right(s).

The applicant proposes to divert 13.6 cfs and/or 490 acre feet per year of water at NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____ Sec. 8 Township 5S Range 11E B.M., Elmore County. Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, 13.6 cfs and/or 490 acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. diverted from King Hill Creek at NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____ Sec. 26 Township 4S Range 10E B.M., Elmore County and injected into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

OR

2. released from storage by the applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional Explanation – Attach additional sheets if necessary.

The POU of water right 61-357 will not be changing with this exchange.
Water rights 61-349, 61-353, 61-356, 61-357, 61-2242, 61-2243, 61-7231,
37-20344 and 37-4112 have combined diversion, volume and acre limitations.
Water under 61-349, 61-353, 61-356 and 61-357 will no longer be diverted
from King Hill Creek.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. _____

5. MAPS – Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8½"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7½-minute topographic quadrangles are preferred as base maps.

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

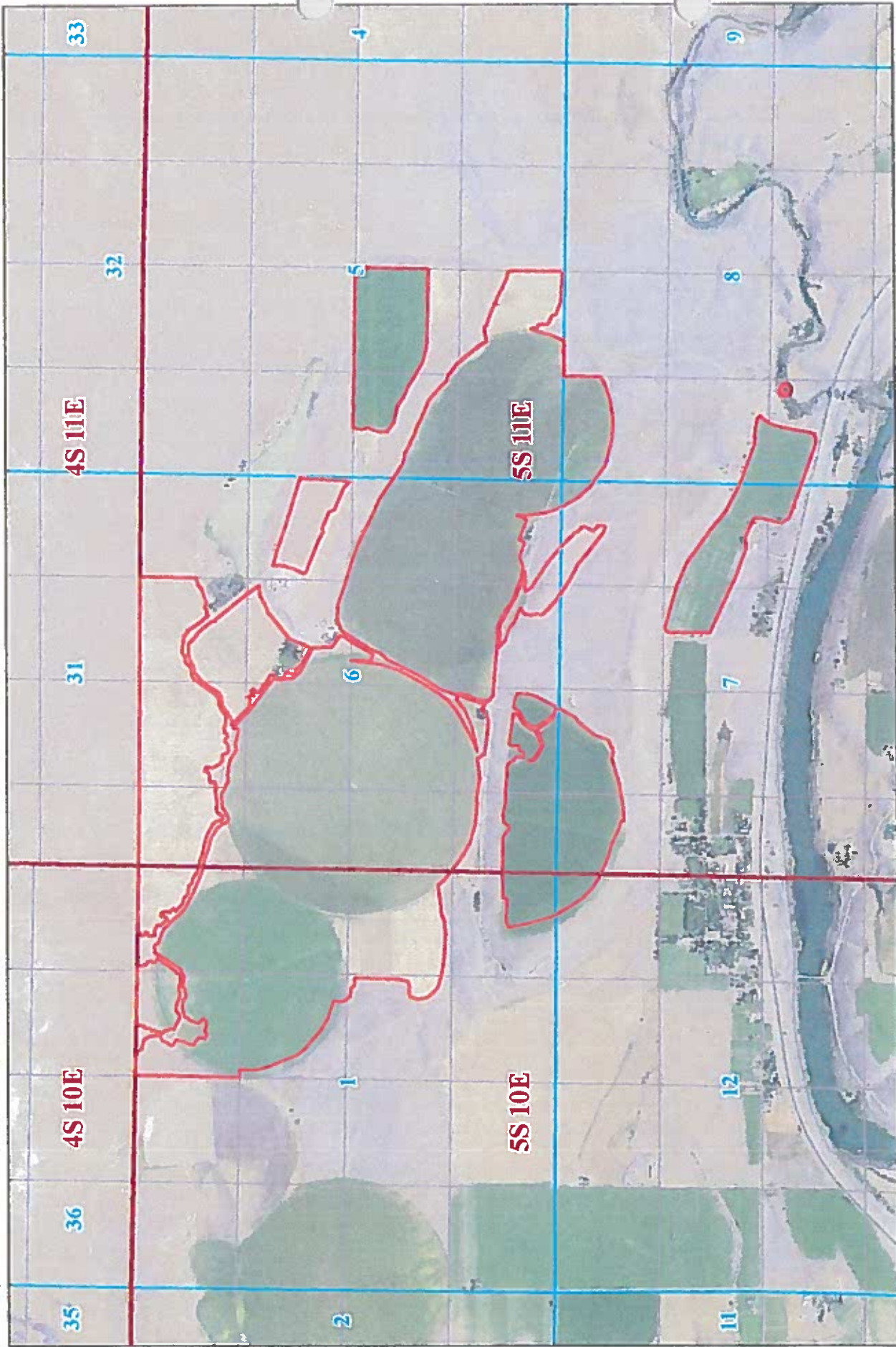
[Signature] its President
Applicant's Signature (and title if application is for an organization)

9/26/14
Date

FOR DEPARTMENT USE ONLY

This exchange application contains _____ pages, including attachments.
Received by DM Date 10-8-2014 Fee \$1,540-
Receipted by DM Date 10-8-2014 Receipt No. 5034334
Preliminary review by _____
Published in _____
Publication dates _____
Protests filed by _____
Copies of protests forwarded by _____
Watermaster recommendation requested on _____
Watermaster recommendation received on _____
Hearing held by _____ Date _____
Recommended for Approval _____ Denial _____ By _____

WITHDRAWN



0 700 1,400 2,800 Feet

Legend

- Point of Diversion
- Township
- Place_of_Use
- Sections
- Landesc

SV RANCH - PITCH FORK RANCH LLC

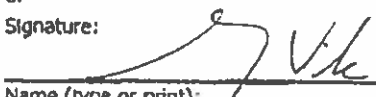
CHANGE P.O.D. 61-349, 61-353, 61-356, 61-357

NAIP 2013 AERIAL PHOTO.

AVE:1985	0.1	0	0	0	0	0	0.2	0.3	0.3	0.3	0.3	0.3	1.6
1 31544.00A HIST.(8	6 93)	AND GEN	DISCH	ARGE:	CLOVER	CR NR K	ING HIL	L KAF					
W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1939	0.4	0.8	0.7	1.8	2.3	39.8	2.2	0.7	0.5	0.4	0.4	0.4	50.4
1940	0.4	0.8	0.5	1.8	2.3	5	1.1	0.7	0.5	0.4	0.4	0.4	14.3
1941	0.4	0.8	0.5	1.8	3.7	9.2	1.6	0.7	0.5	0.4	0.4	0.4	20.4
1942	0.4	0.8	0.5	1.8	2.3	1.8	17.3	1.1	0.6	0.4	0.4	0.4	27.8
1943	0.4	0.8	0.5	12.4	43.8	25	2.8	0.7	0.6	0.4	0.4	0.4	88.2
1944	0.4	0.8	0.5	1.8	2.3	1.8	1.1	0.7	0.5	0.4	0.4	0.4	11.1
1945	0.4	0.8	0.5	1.8	6.4	1.8	1.1	0.7	0.5	0.4	0.4	0.4	15.2
1946	0.4	0.8	0.5	1.8	2.3	9.2	6.3	0.7	0.5	0.4	0.4	0.4	23.7
1947	0.4	0.8	0.5	1.8	9.2	1.8	1.1	0.7	0.5	0.4	0.4	0.4	18
1948	0.4	0.8	0.5	1.8	7.8	1.8	1.1	0.7	0.5	0.4	0.4	0.4	16.6
1949	0.4	0.8	0.5	1.8	2.3	1.8	15.5	2.9	1.1	0.5	0.4	0.4	28.4
1950	0.5	0.2	0.3	3.5	5.2	5.2	6.6	1.6	0.9	0.6	0.5	0.6	25.7
1951	0.6	0.8	4	7.8	22.6	9.3	10.6	1.7	0.7	0.5	0.4	0.4	59.4
1952	0.7	0.6	0.7	1.6	3.2	4.1	47.6	5.1	2.3	1.1	0.6	0.7	68.3
1953	0.9	0.6	0.5	9.3	3.2	0.3	1.4	1.2	3.6	0.8	0.5	0.5	22.8
1954	0.6	0.4	0.7	1.5	5.5	1.9	1	0.6	0.5	0.4	0.3	0.3	13.7
1955	0.3	0.2	0.1	0.3	1.1	0.3	4.8	1.4	0.6	0.5	0.4	0.3	10.3
1956	0.3	0.2	4.5	51.2	4.5	14.7	7.5	1.9	1	0.6	0.4	0.4	87.2
1957	0.5	0.7	2	0.3	15.5	12.2	6.4	3.4	1.9	0.8	0.4	0.4	44.5
1958	0.7	0.6	0.5	1.4	18.5	6.4	15.4	2.8	1.6	0.7	0.5	0.5	49.6
1959	0.7	0.5	0.6	1	1.5	0.3	0.9	0.6	0.4	0.3	0.3	0.4	7.5
1960	0.7	0	0.2	0.3	2.8	16.8	4.7	0.8	0.4	0.4	0.4	0.3	27.8
1961	0.3	0.1	0.3	0.3	5.2	3.1	1.8	0.6	0.4	0.3	0.3	0.3	13
1962	0.3	0	0.3	1.1	9	3.3	8	1.4	1.3	0.5	0.4	0.4	26
1963	0.5	0.3	0.4	0.3	12.7	0.3	0.6	1	3.5	1.1	0.4	0.5	21.6
1964	0.5	0.7	0.5	0.7	1.6	1.2	13.4	1.6	2.1	1.2	0.6	0.5	24.6
1965	0.6	0.6	13.6	43.6	20.8	3.2	6.3	2	1.6	0.8	0.7	0.8	94.6
1966	1.3	1	0.6	1.4	1.6	2.6	1.7	0.6	0.4	0.4	0.3	0.3	12.2
1967	0.3	0	0.5	6.2	3.9	1.8	2.7	1.6	2.9	0.8	0.5	0.4	21.6
1968	0.6	0.5	0.4	0.8	6.7	0.3	0.3	0.5	0.4	0.3	0.7	0.5	12
1969	0.5	1.2	0.9	41.6	5.2	8.9	23.5	2.1	1.1	0.8	0.5	0.6	86.9
1970	0.7	0.5	0.6	45.1	7.2	2	1.5	2.1	1.3	1.2	0.5	0.6	63.3
1971	0.9	4.4	3.7	101.6	11.7	15.5	10	2.4	1.7	1.1	0.6	0.8	154.4
1972	1.4	1.8	1.5	45.1	15.9	46.9	7	1.8	1.3	0.6	0.5	0.7	124.5
1973	1.3	1.7	2	14.6	4	4.8	5.5	1.4	0.7	0.6	0.5	0.7	37.8
1974	0.9	1.3	1.1	22.4	2.7	30.1	10.5	1.7	0.6	0.6	0.5	0.5	72.9
1975	0.6	0.6	0.6	1.5	3.6	12.6	9.8	5.3	3.8	1.5	0.7	0.7	41.3
1976	2.6	2.5	3.5	5.1	6.2	8.7	12.6	1.8	0.8	0.6	0.7	0.9	46
1977	1	0.8	0.5	0.2	1.5	0.3	0.2	0.6	0.5	0.4	0.4	0.4	6.8
1978	0.5	0.2	0.8	8	5.8	18.2	10.2	2	0.8	0.7	0.5	0.7	48.4
1979	0.7	0.5	0.6	15.3	7.4	13.6	6.7	2	1	0.8	0.6	0.5	49.7
1980	0.6	0.5	0.6	22.2	9.6	3.1	4.6	1.7	2.4	0.9	0.6	0.7	47.5
1981	0.8	0.5	0.7	1.9	3.6	0.3	1.7	0.9	0.7	0.5	0.4	0.4	12.4
1982	0.6	1.8	6.4	8	34.4	14.7	11.5	2.3	1.3	1.2	0.6	0.8	83.6
1983	1.2	2.2	1.6	13.6	12.2	31.1	13.2	4.4	4	1.3	1	0.8	86.6
1984	1.6	3.3	6.3	24.8	9.2	31.8	34.4	8	6.7	2.3	1.2	1.3	130.9
1985	2.2	3.7	1.4	4.7	3.4	5.5	13	1.3	0.7	0.7	0.6	0.7	37.9
1986	1.7	0.5	1	10.8	56.7	25.3	5.2	1.8	1.2	1	0.8	0.9	106.9
1987	0.8	0.7	0.7	0.8	1.1	1.9	0.6	0.7	0.5	0.6	0.7	0.8	9.9
1988	0.5	0.3	0.4	0.6	3.5	1.4	0.7	0.7	0.5	0.5	0.4	0.5	10
1989	0.3	2.6	1.1	1	8.4	41.4	11.2	1.5	0.6	0.4	0.4	0.5	69.4
1990	0.5	0.4	0.4	1.9	2.6	4.8	0.7	1	0.7	0.5	0.3	0.4	14.2
1991	0.4	0.5	0.5	0.4	0.3	0.5	0.4	0.6	0.5	0.3	0.3	0.4	5.1
1992	0.6	0.3	0.3	0.3	0.5	0.3	0.3	0.4	0.3	0.2	0.2	0.1	3.8
1993	0.2	0.2	0.2	1.3	3.4	48.7	13.6	2.5	1.7	0.9	0.6	0	73.3
1994	0.8	0.3	0.4	0	1.3	0.3	0	0.7	0.3	0.3	0.3	0.3	5
1995	0.5	0.2	0.6	14.9	22.2	8.5	2.8	3.7	1.5	0.8	0.5	0.6	56.8
1996	0.7	0.5	1.5	11.9	15.5	16.5	9.6	1.6	0.9	0.6	0.5	0.5	60.3
1997	0.6	0.7	2.4	82.9	10.7	16.2	7.7	2	1.3	0.7	0.5	0.6	126.3

61-357 / Exchange # 79612

No. W 48851	Due no later than Mar 31, 2014 Annual Report Form		2. Registered Agent and Office (NOT A P.O. BOX) NATIONAL REGISTERED AGENTS INC. 921 S ORCHARD ST STE G BOISE ID 83705 USA																																			
Return to: SECRETARY OF STATE 450 N 4th STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. PITCHFORK RANCH LLC % SC&B SERVICES INC 999 3RD AVE STE 3000 SEATTLE WA 98104																																					
4. Limited Liability Companies: Enter Names and Addresses of Managers OR Members. See Instructions.			3. New Registered Agent Signature																																			
5. Organized Under the Laws of: WASHINGTON W 48851			<table border="1"> <thead> <tr> <th>Manager or Member</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>Manager ☒ Member ☐</td> <td>Investments Manager LLC,</td> <td>999 3rd Ave., Ste. 3000,</td> <td>Seattle,</td> <td>WA</td> <td>USA</td> <td>98104</td> </tr> <tr> <td>Manager ☐ Member ☐</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Manager ☐ Member ☐</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Manager ☐ Member ☐</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Manager or Member	Name	Street or PO Address	City	State	Country	Postal Code	Manager ☒ Member ☐	Investments Manager LLC,	999 3rd Ave., Ste. 3000,	Seattle,	WA	USA	98104	Manager ☐ Member ☐							Manager ☐ Member ☐							Manager ☐ Member ☐						
Manager or Member	Name	Street or PO Address	City	State	Country	Postal Code																																
Manager ☒ Member ☐	Investments Manager LLC,	999 3rd Ave., Ste. 3000,	Seattle,	WA	USA	98104																																
Manager ☐ Member ☐																																						
Manager ☐ Member ☐																																						
Manager ☐ Member ☐																																						
Issued 01/28/2014 by KAH																																						

6. Signature:  Name (type or print): Investments Manger LLC, Manager by Greg Vik, its Manager	Date: 2/21/14 Title: Manger
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INSTRUCTIONS FOR THE IDAHO ANNUAL REPORT FORM

MEMORANDUM

TO: Sascha Marston
FROM: Doug Jones / Denise Maline
DATE: July 11, 2016
RE : Refund of application fees



Brockway Engineering paid \$3,680.00 for (4) Applications for Exchange of Water on October 8, 2014; under receipt S034334. These applications were filed on behalf of Pitchfork Ranch LLC: #61-349 (Exchange #79609); 61-353 (Exchange #79610); 61-356 (Exchange #79611); and 61-357 (Exchange #79612). The applications were all withdrawn on July 8, 2016.

Please issue a refund of \$3,680.00 to:

BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST, STE 4
TWIN FALLS ID 83301
TEL. (208) 736-8543

RECEIPT

S034334, copy attached

Copy to: 61-349 / Exchange #79609
61-353 / Exchange #79610
61-356 / Exchange #79611
61-357 / Exchange #79612

Idaho Department of Water Resources Receipt

Receipt ID: S034334

Payment Amount \$3,680.00 Date Received 10/8/2014 2:48 PM Region SOUTHERN
Payment Type Check Check Number 12250
Payer BROCKWAY ENGINEERING PLLC
Comments (4) APPLICATIONS FOR EXCHANGE OF WATER: 61-349, 61-353, 61-356, 61-357 IN THE NAME OF
PITCHFORK RANCH LLC

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$580.00	TRANSFERS	64106	0229	21		1155
\$580.00	TRANSFERS	64106	0229	21		1155
\$980.00	TRANSFERS	64106	0229	21		1155
\$1,540.00	TRANSFERS	64106	0229	21		1155



Signature Line (Department Representative)

All apps withdrawn 7/11/2016.

issue refund (per agent)



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

July 11, 2016

PITCHFORK RANCH LLC
C/O GREG VIK
PO BOX 1607
BELLEVUE, WA 98009

Re: Withdrawal of Applications for Exchange No(s): 79609 (Water Right No.: 61-349)
Exchange No. 79610 (Water Right No.: 61-353)
Exchange No. 79611 (Water Right No.: 61-356)
Exchange No. 79612 (Water Right No.: 61-357)

Dear Mr. Vik:

Thank you for your recent withdrawal of the above referenced Applications for Exchange, on behalf of Pitchfork Ranch LLC. Please note, a refund request in the amount of \$3,680.00 has been submitted for processing. Upon approval, it will be issued to Brockway Engineering, as they paid the filing fees for these applications, on October 8, 2014.

Please contact our office at 208-736-3033 if you have additional questions in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant
Southern Region

cc: Brockway Engineering

PITCHFORK RANCH LLC

June 7, 2016

Allen Merritt
Idaho Department of Water Resources
650 Addison Ave. W., Suite 500
Twin Falls, ID 83301

via E-mail:
RECEIVED

JUL 08 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

**Original & attachments
received 7/14/2016** *DM*

Dear Mr. Merritt:

Pitchfork Ranch LLC submitted applications for exchange of water for water rights 61-349, 61-353, 61-356 and 61-357 in October of 2014. Water management practices and decisions have been made that alleviate the need for the exchange applications to be processed further by IDWR.

It is therefore requested that the exchange applications submitted by Pitchfork Ranch LLC be withdrawn from processing.

Very truly yours,



Greg Vik
President of Investments Manager LLC,
Manager of Pitchfork Ranch LLC

61-349 = Exchange #79609
61-353 = Exchange #79610
61-356 = Exchange #79611
61-357 = Exchange #79612

*database updated
7-11-2016*

DM

Jones, Doug

From: Miller, Nick
Sent: Thursday, April 09, 2015 1:36 PM
To: Jones, Doug; Grimm, Angie
Cc: Merritt, Allen; Luke, Tim
Subject: RE: Reactivate WD61F?

So, the idea at this point is that they want us to reactivate WD61F, so it is up and running in 2015 so the district can collect the information needed to process and administer their exchange applications at some point in the future?

If all the users are on board (it looks like there are only two other users with irrigation rights), I don't have a problem with the three users holding a meeting to adopt a budget and elect a WM. However, I don't see us as having the resources to follow through with much in the way of measurement and control enforcement or WM training. In short, if Pitchfork Ranch wants to take the initiative and get the other two users on board and hold a meeting, we'll recognize the district as "active", but I don't see us issuing a requirement that they immediately hold a meeting, elect a WM, install measuring devices, etc....

That being said, I believe Tim is planning on starting a process to address administration with the whole of Basin 61 later this year, so I would anticipate that a reactivation of 61F either by itself, or as part of a larger district is a likely outcome within the next couple of years anyway.

That's my take on the situation.

Nick.

From: Jones, Doug
Sent: Monday, April 06, 2015 9:48 AM
To: Miller, Nick; Grimm, Angie
Cc: Merritt, Allen
Subject: RE: Reactivate WD61F?

With attachments ...

From: Jones, Doug
Sent: Monday, April 06, 2015 9:48 AM
To: Miller, Nick; Grimm, Angie
Cc: Merritt, Allen
Subject: Reactivate WD61F?

Nick & Angie,

A future constituent in Western Region, Pitchfork Ranch in King Hill, filed 4 applications to Exchange and our region is processing them because the new tributary source (Clover Cr) is in Admin Basin 37. Attached is a scan of their response to our letter seeking additional information along with a copy of our letter appended to the response.

One of our requests was to determine which administrative organizational structure the users of King Hill Cr would choose to measure and deliver available water. They indicate they wish to reactivate WD61F, and to accomplish it this year. Our various items of additional information requested was developed in coordination with Angie Grimm, Steve Lester and Corbin Knowles.

No other information was provided and IDWR will be taking steps to return their applications this week.

Would you please proceed with the reactivation process for WD61F?

If you have any other questions or encounter procedural hiccups please keep me in the loop. Thank you!

Doug Jones



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 3, 2015

Doug Jones
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

RECEIVED
APR 03 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: Pitchfork Ranch LLC 61-349, 61-353, 61-356 and 61-357

Dear Mr. Jones:

The delivery system of water rights 61-349, 61-353, 61-356 and 61-357 from King Hill Creek to Pitchfork Ranch LLC has become to expensive to maintain. Applications for exchanges of 61-349, 61-353, 61-356 and 61-357 from King Hill Creek to Clover Creek were submitted to the Idaho Department of Water Resources for review and processing.

Through your response letter dated February 18, 2015 it became clear that the Idaho Department of Water Resources currently is not monitoring, regulating or managing the water rights currently being diverted from King Hill Creek. Water District 61F regulated water in King Hill Creek in the 1950s through the 1960s. It appears that the last records kept by the Watermaster were in 1966. It is unknown why District 61F went inactive or why it has stayed inactive over the years.

It is now apparent that in order for the proposed exchanges for 61-349, 61-353, 61-356 and 61-357 to move forward towards processing, District 61F needs to be re-activated by the Idaho Department of Water Resources. It would be ideal if District 61F could become active in 2015 and be able to start monitoring, regulating and managing the water rights from King Hill Creek in 2016. It is formally requested the Idaho Department of Water Resources re-activate Water District 61F.

It is unknown at this time what the necessary steps are to facilitate the re-activation of Water District 61F. Further discussions and meetings will be needed between the Idaho Department of Water Resources and the water right owners at King Hill Creek to properly structure Water District 61F.

Pitchfork Ranch LLC is concerned that expansion of water rights from King Hill Creek has occurred in the past and will likely continue in 2015. The re-activation of Water District 61F will allow regulation of current irrigation practices and facilitate monitoring of instream flow rates and diversions.

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

When Water District 61F is operating, proper flow rates in King Hill Creek can be recorded at the current POD for Pitchfork Ranch LLC and the confluence of King Hill Creek into the Snake River. Water District 61F will also be able to control the identified exchange POD on Clover Creek to insure no expansion of water is occurring. Water District 61F will oversee the installation of measurement devices for stream channel flows and authorized PODs.

Pitchfork Ranch LLC recognizes the need for Water District 61F and is willing to cooperate financially to facilitate the approval of the proposed exchange applications for 61-349, 61-353, 61-356 and 61-357.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Sullivan", is written over a light blue horizontal line.

Greg Sullivan, M.S., Engineer

Cc: Greg Vik, Rod Gonsales, Jim Speck
Enc: IDWR Letter Dated February 18, 2015

Jones, Doug

From: Jones, Doug
Sent: Tuesday, March 17, 2015 1:59 PM
To: 'Greg Sullivan'
Subject: RE: Pitchfork Ranch Info Request

Greg,

Your request is acceptable and the time is extended to April 3, close of business, to respond to the request.

Thank you.

Doug

From: Greg Sullivan [<mailto:greg.sullivan@brockwayeng.com>]
Sent: Tuesday, March 17, 2015 1:52 PM
To: Jones, Doug
Subject: RE: Pitchfork Ranch Info Request

Doug,

As consultant for Pitchfork Ranch, I am requesting that an additional 14 days be provided by IDWR for the Applicant to respond to your Information Request.

Thank you,

Greg Sullivan
Brockway Engineering
2016 N. Washington St. Suite 4
Twin Falls, Id 83301
208-736-8543

From: Jones, Doug [<mailto:Doug.Jones@idwr.idaho.gov>]
Sent: Wednesday, February 18, 2015 4:32 PM
To: Greg Sullivan
Subject: Pitchfork Ranch Info Request

Greg,

Preliminary review was completed as I mentioned earlier today. Attached is a copy of the letter going into the mail to Pitchfork Ranch for your reference.

Doug

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2249 / Virus Database: 4257/8635 - Release Date: 02/18/15

From: Jones, Doug
Sent: Monday, February 02, 2015 10:40 AM
To: Knowles, Corbin; Grimm, Angie
Subject: Proposed exchange comments

Corbin and Angie,

Pitchfork Ranch has proposed exchanges for 4 water rights diverted from King Hill Cr (rts 61-349, etc). The proposal is to then divert the rights from Clover Cr in Basin 37 at a point that already exists. The attached map portrays the circumstances.

There are some junior rights downstream from the present Pitchfork Ranch diversions. King Hill Cr has historically been a watermaster district, 61F, do either one of you know if it is active and, if so, then who would I be in touch with?

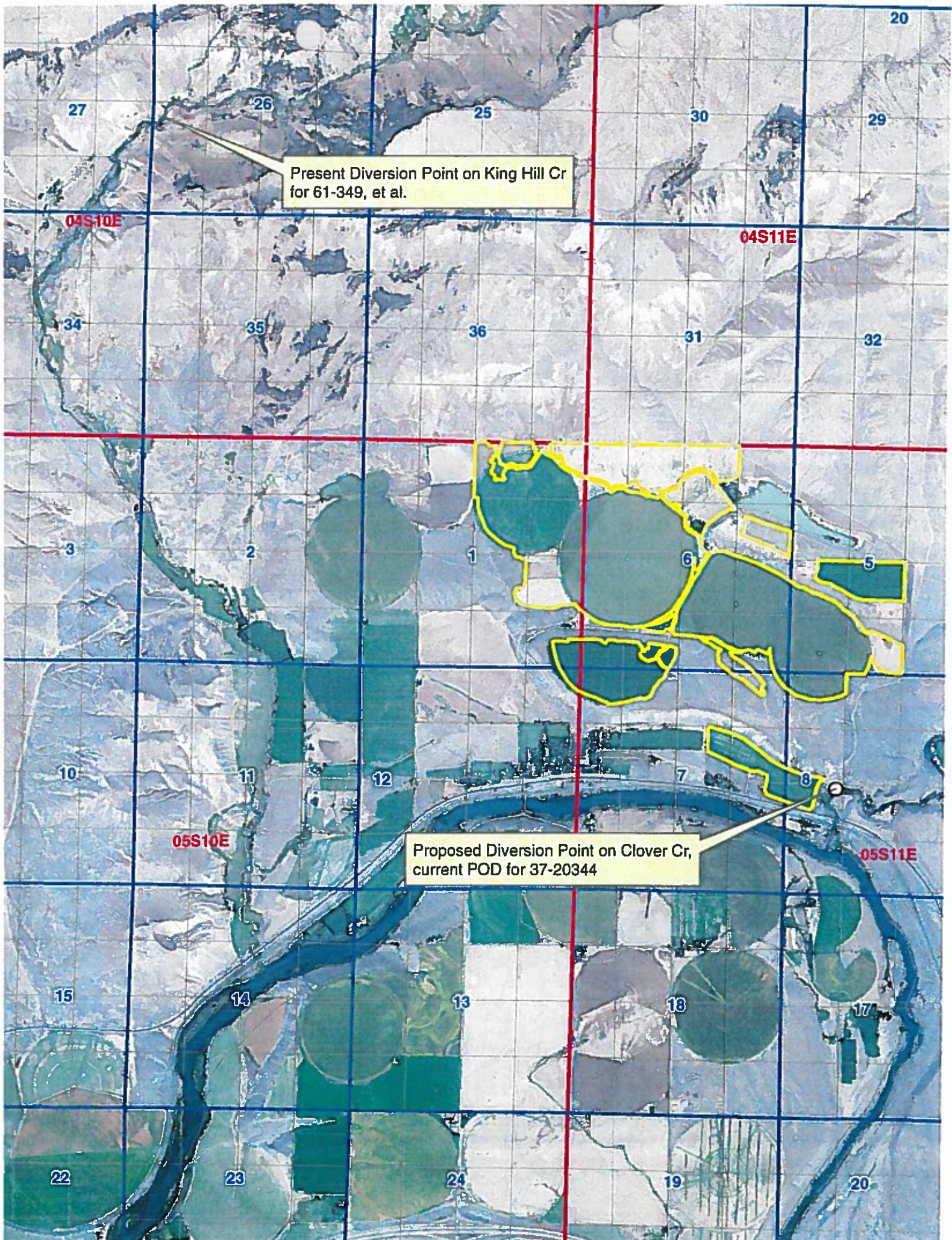
Corbin, as Basin 02 water Master, do you perceive of potential injury and/or recommend conditions? It would appear that a condition would be needed to limit diversion from Clover Cr to those priorities and flow rates that water is available from King Hill Cr. However, if there is no watermaster then how could it be regulated? Would Pitchfork need to measure water discharged to the Snake River from King Hill Cr (or at least measure below the junior downstream diversion) and limit exchange to that rate of flow? Do we have a capability to have Pitchfork self report flow rates and diversions? If the proposal is not administrable, then can/should we approve it?

If we are going to approve it then Southern Region is contemplating making the rights subordinate to all rights in Clover Cr. However, there isn't a watermaster on Clover Cr so we are back to the regulatory question.

Any insights and recommendations you can provide would be greatly appreciated. Thanks folks.

Doug Jones
736-3033

[illegible]





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

February 18, 2015

Pitchfork Ranch LLC
C/O Gregory Vik
PO BOX 1607
BELLEVUE WA 98009

Re: Water Right Exchanges (#79609, 79610, 79611, 79612), Additional Information Request

Dear Mr Vik,

Department of Water Resources ("Department" or "IDWR") staff have reviewed the above Applications for Exchange of Water. During review of the proposed exchanges it became apparent that there could be injury to downstream users on the Snake River. Concerns are that flows in Clover Cr are greater than in King Hill Cr, and return flows to the Snake River from King Hill Cr are less, through the low-flow times of year. There must be no enlargement of the diversion (rate or volume) of water under the exchanged rights at the new point of diversion or any shift in the availability of water due to the change. The burden is on the applicant to provide information that would address the enlargement and potential injury concerns.

Your applications provided information about the water supply on Clover Cr. However, this is only a portion of the information needed to weigh the impacts of the exchanges. For instance, what are the streamflows through the year at Pitchfork's King Hill Cr diversion and at the confluence with the Snake River? How would the water that would have been diverted by Pitchfork from King Hill Cr be shepherded down to the Snake River, past the downstream water users? Only water attributable to Pitchfork's water rights, in priority, that flows into the Snake River could then be diverted from Clover Cr.

Neither King Hill Cr nor Clover Cr are regulated by a water master and therefore administration would be absent. IDWR staffs in our Western Region office, State office and Southern Region office have been discussing the situation and it is a concern that water right administration would be challenging and expensive without local control. It may be possible that pursuant to Idaho Code the existing (but inactive) water districts on both creeks could be reactivated or that both streams somehow become included in the Basin 02 (mid-Snake) Water District. Both of these options would require consensus of other users and the Basin 02 option would require a petition, a hearing before the Director of IDWR, and an order by him modifying the boundaries of the Water District.

Pitchfork Ranch
February 18, 2015
Page 2

Pitchfork Ranch must either, prior to March 20, 2015:

A. Provide information about:

- 1) The historical flow rates in King Hill Cr at the Pitchfork diversion and near the confluence with the Snake River.
- 2) Identify how non-diverted flows attributable to Pitchfork Ranch rights will be determined at the Snake River confluence how and redirection from Clover Cr will be controlled.
- 3) Identify what mechanical infrastructure or changes to existing facilities would be needed on both streams to manage the proposed exchanges.
- 4) Identify which water right management organization Pitchfork Ranch will pursue to regulate and control diversions on both streams along with the steps and timeline for implementing the choice.

Or

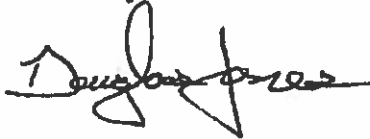
B. Withdraw the applications in writing while developing information and solutions. Specifically request a refund in the withdrawal. Resubmit the applications when prepared to move forward.

Or

C. Do nothing and the applications will be returned unprocessed as incomplete.

Thank you for your attention to this matter and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Jones", written over a horizontal line.

Douglas Jones, P.E.
Technical Engineer
Southern Region Office

Cc: Brockway Engineering, Attn Greg Sullivan

Basin	Sequence	Basis	Status	Priority Date	Diversion / Source List	Water Use List	Current Owner
61	349	Decreed	Active	4/1/1876	1.200 KING HILL CREEK	IRRIGATION	PITCHFORK RANCH LLC
61	351	Decreed	Active	4/1/1886	1.540 KING HILL CREEK	IRRIGATION	PRESLEY, GEORGE L; PRESLEY, SHARRON N
61	353	Decreed	Active	4/1/1891	1.120 KING HILL CREEK	IRRIGATION	PITCHFORK RANCH LLC
61	352	Decreed	Active	4/1/1894	0.620 KING HILL CREEK	IRRIGATION	PRESLEY, GEORGE L; PRESLEY, SHARRON N
61	354	Decreed	Active	4/1/1895	2.180 KING HILL CREEK	IRRIGATION	PRESLEY, GEORGE L; PRESLEY, SHARRON N
61	356	Decreed	Active	1/7/1901	6.400 KING HILL CREEK	IRRIGATION	PITCHFORK RANCH LLC
61	357	Decreed	Active	1/7/1901	13.600 KING HILL CREEK	DIVERSION TO STO	PITCHFORK RANCH LLC
61	2065	Decreed	Active	8/1/1922	1.500 KING HILL CREEK	IRRIGATION	POWERS, ELIZABETH M, POWERS, FRANKLIN J
61	2222	Decreed	Active	7/18/1955	1.080 KING HILL CREEK	IRRIGATION	POWERS, ELIZABETH M, POWERS, FRANKLIN J
61	11903	Decreed	Active	3/15/1980	0.680 KING HILL CREEK	IRRIGATION	POWERS, ELIZABETH M, POWERS, FRANKLIN J

Jones, Doug

From: Knowles, Corbin
Sent: Tuesday, February 10, 2015 4:22 PM
To: Jones, Doug; Grimm, Angie
Subject: RE: Proposed exchange comments

Doug

I am in the same boat as Angie and Steve. I anticipate that this diversion is already occurring and without any active coordination between the two (unregulated) tributaries an impact to minimum stream flows on the Snake will occur. The King Hill Crk rights are basin 61 rights and moving this right into basin 37 will be an enlargement of what little water is available during the summer on Clover Creek that ultimately would end up in the Snake. I think your thoughts of what remaining water is in King Hill Crk at the confluence of the Snake is likely return flows from KHID.

I am not in support of exchanges in general but this one in my opinion should not be allowed due to the potential burden of other right holders out of the Snake River to support expansion of little to no water available in Clover Creek. This one will be more burdensome on actively regulating what is occurring and currently the WD02 watermaster would have no means of compensation to help administer this exchange.

From: Jones, Doug
Sent: Tuesday, February 10, 2015 3:09 PM
To: Grimm, Angie; Knowles, Corbin
Subject: RE: Proposed exchange comments

Thank you Angie. An extra complication is that the lower end of King Hill Cr would be influenced by KHID and return flows to the Snake might represent something other than King Hill Cr water.

Corbin, any thoughts on how this could be conditioned? Perhaps I should put the onus on Pitchfork's consultant Brockway Engineering to propose methodology for measuring and pumping at Clover Cr?

Doug

From: Grimm, Angie
Sent: Tuesday, February 10, 2015 2:39 PM
To: Jones, Doug; Knowles, Corbin
Subject: RE: Proposed exchange comments

Doug & Corbin,

Good afternoon! King Hill Cr is not an active water district. When I spoke with Steve about this, he didn't recall there was even a water district there so I'm guessing it's been inactive for quite some time. This proposal definitely seems troubling from a management stand point. It's unclear to Steve or I how enlargement can be avoided (supply on end of Clover Cr likely much greater than supply way up on King Hill Cr) unless there is measurement at the original point of diversion, proposed point of diversion, and confluence of King Hill Cr with Snake River. Also, you'd need to have baseline data for confluence King Hill Cr at Snake River to know if the water left at the original point of diversion is showing up at the Snake River. All this regulation would be difficult without a functioning water district on King Hill Cr or Clover Cr. I'm afraid Steve and I were not able to come up with a solution for this one... Hope these comments are helpful none the less. Let me know if you'd like to discuss further...

Thanks,
Angie



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 08 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

October 6, 2014

Allen Merritt
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Pitchfork Ranch LLC 61-349, 61-353, 61-356 and 61-357

Dear Mr. Merritt:

Pitchfork Ranch LLC is submitting applications for exchange of water for several water rights. It is proposed to move the current point of diversion of water rights 61-349, 61-353, 61-356 and 61-357 from their current authorized point of diversion on King Hill Creek to an existing point of diversion on Clover Creek. Pitchfork Ranch LLC currently diverts one water right (37-20344) from the point of diversion in Clover Creek.

The current diversion and delivery system from King Hill Creek is in need of extensive maintenance and improvements. Clover Creek discharges upstream of King Hill Creek into the Snake River. It is anticipated that this proposed change will have no adverse affects water right from the Snake River.

It is proposed that a new condition is placed on water rights 61-349, 61-353, 61-356 and 61-357 upon approval of the proposed exchanges. The condition would make these water rights subordinate in priority to all existing water rights on Clover Creek. This condition would secure that injury will not occur to current water right owners from Clover Creek due to the proposed increased diversion at Pitchfork Ranch. The proposed point of diversion is the last diversion before the confluence of Clover Creek and the Snake River.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Greg Vik, Rod Gonsales, Jim Speck

Enc: Applications for Exchange of Water for 61-349, 61-353, 61-356 and 61-357, Annual Report for Pitchfork Ranch LLC, Aerial Map, Brockway Engineering Check # 12250 for \$3,680.00.

CHARLES E.
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PH.D., P.E.

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