

RECEIVED**JAN 27 2015****DEPARTMENT OF
WATER RESOURCES****STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Transfer No. 79791**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) Big Creek Ranch LLC**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

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Big Creek Ranch LLC Phone (208) 726-1780

Mailing address P.O. Box 5987, Ketchum, ID 83340-5987 Email _____

- ☐ 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.

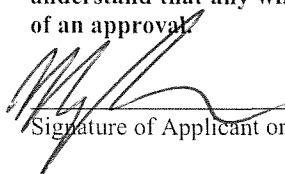
☐ No Representative

Name of Representative Roxanne Brown, SPF Water Engineering LLC Phone (208) 383-4140

Mailing address 300 E. Mallard Dr., Suite 350, Boise, ID 83706 Email rbrown@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Michael Page, Manager
Print Name and Title if applicable

1/21/15
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The water rights are currently described in a permissible place of use based on a combined gravity irrigation system in place at the time the rights were adjudicated. This application proposes a new place of use description for a gravity system which will irrigate 200.6 acres. A companion transfer will describe the remaining 213.4 acres in a place of use irrigated with a separate delivery system.

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 ☒ ☐	73-33	2.40 cfs	irrigation	4/1 to 10/31	Big Creek/Pahsimeroi R.
☒ ☐	73-2151	2.00 cfs	irrigation	4/1 to 10/31	Patterson Cr/Pahsimeroi R
☐ ☒	73-10100	1.55 cfs	irrigation	4/1 to 10/31	Pahsimeroi R./Salmon R.
☐ ☐				to	
☐ ☒	73-10100*	1.65 cfs	irrigation	4/1 to 10/31	Pahsimeroi R./Salmon R.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐	* Subject of companion transfer application				

Total authorized under rights 7.60 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 5.95 cubic feet per second and/or _____ 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	
14N	22E	22			1.2											32.9	39.7	39.6	113.4
14N	22E	23											7.2						7.2
14N	22E	26					40	40											80.0
Total Acres (for irrigation use)																			200.6

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:

A lockable, controlling head works with fish screen and measuring device will be designed and installed on the Pahsimeroi River as part of a conservation project involving federal and state agencies, and private organizations. Diversion works on Patterson Creek and Big Creek will not change.

- b. Who owns the property at the point(s) of diversion? USDI- Bureau of Land Management (BLM); applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: Access to the existing points of diversion is authorized under the Federal Land Policy and Management Act (FLPMA). The conservation project will result in written authorizations and agreements for the Pahsimeroi River diversion.

- 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: This application reconfigures the place of use on the existing land owned by the applicant. Water rights will not be transferred from the property.

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:

This application reconfigures the place of use. Irrigation will only occur as described by this application and a companion transfer application.

- 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:

See the companion transfer application for the portion of 73-10100 not changed by this application.

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 73-33

Current Owner: BIG CREEK RANCH LLC
Priority Date: 8/16/1910
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

2.4 CFS

2.4 CFS

Annual Volume

Location of Point(s) of Diversion

BIG CREEK
LEMHI County

NE1/4NE1/4SW1/4 Sec. 11, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within LEMHI County

T14N R22E S22	SWNE	37.00	T14N R22E S22	SENE	11.00
T14N R22E S22	NESE	40.00	T14N R22E S22	NWSE	37.00
T14N R22E S22	SWSE	39.00	T14N R22E S22	SESE	39.00
T14N R22E S23	NESW	15.00	T14N R22E S23	NWSW	40.00
T14N R22E S23	SWSW	40.00	T14N R22E S23	SESW	38.00
T14N R22E S26	NENW	38.00	T14N R22E S26	NWNW	40.00

Total Acres: 414

Conditions of Approval:

1. K06 This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2. E56 The rights listed below are limited to the irrigation of a combined total of 414 acres in a single irrigation season. Combined Right Nos.: 73-33, 73-152A, 73-153A, 73-2151, 73-10100.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.

Decreed Date: 3/12/2010

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

Current Water Right No.: 73-2151

Current Owner: BIG CREEK RANCH LLC
Priority Date: 6/23/1959
Origin: Water Right
Status: Active
Basis: Decreed

Source

PATTERSON CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

2 CFS

2 CFS

Annual Volume

Location of Point(s) of Diversion

PATTERSON CREEK

LEMHI County

NW1/4NE1/4

Sec. 23, Twp 14N, Rge 22E B.M.

Place of Use

IRRIGATION Within LEMHI County

T14N R22E S22	SWNE	37.00	T14N R22E S22	SENE	11.00
T14N R22E S22	NESE	40.00	T14N R22E S22	NWSE	37.00
T14N R22E S22	SWSE	39.00	T14N R22E S22	SESE	39.00
T14N R22E S23	NESW	15.00	T14N R22E S23	NWSW	40.00
T14N R22E S23	SWSW	40.00	T14N R22E S23	SESW	38.00
T14N R22E S26	NENW	38.00	T14N R22E S26	NWNW	40.00

Total Acres: 414

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. K06 This right is limited to the irrigation of 95 acres within the place of use described above in a single irrigation season.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. E56 The rights listed below are limited to the irrigation of a combined total of 414 acres in a single irrigation season. Combined Right Nos.: 73-33, 73-152A, 73-153A, 73-2151, 73-10100.
5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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

Current Water Right No.: 73-10100

Current Owner: BIG CREEK RANCH LLC
Priority Date: 2/18/1926
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

3.2 CFS

3.2 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER

LEMHI County

NE1/4SW1/4

Sec. 35, Twp 14N, Rge 22E B.M.

Place of Use

IRRIGATION Within LEMHI County

T14N R22E S22	SWNE	37.00	T14N R22E S22	SENE	11.00
T14N R22E S22	NESE	40.00	T14N R22E S22	NWSE	37.00
T14N R22E S22	SWSE	39.00	T14N R22E S22	SESE	39.00
T14N R22E S23	NESW	15.00	T14N R22E S23	NWSW	40.00
T14N R22E S23	SWSW	40.00	T14N R22E S23	SESW	38.00
T14N R22E S26	NENW	38.00	T14N R22E S26	NWNW	40.00

Total Acres: 414

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 414 acres in a single irrigation season. Combined Right Nos.: 73-33, 73-152A, 73-153A, 73-2151, 73-10100.
2. 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.

Decreed Date: 3/12/2010

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: 73-10100

1. amount 1.55 (cfs/ac-ft) for irrigation purposes from 4/1 to 10/31
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

200.6 acres within a 414-acre permissible place of use

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- 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.

B. CHANGES IN NATURE OF USE (Water Balance)

- ### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- 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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and is set against a dark background.

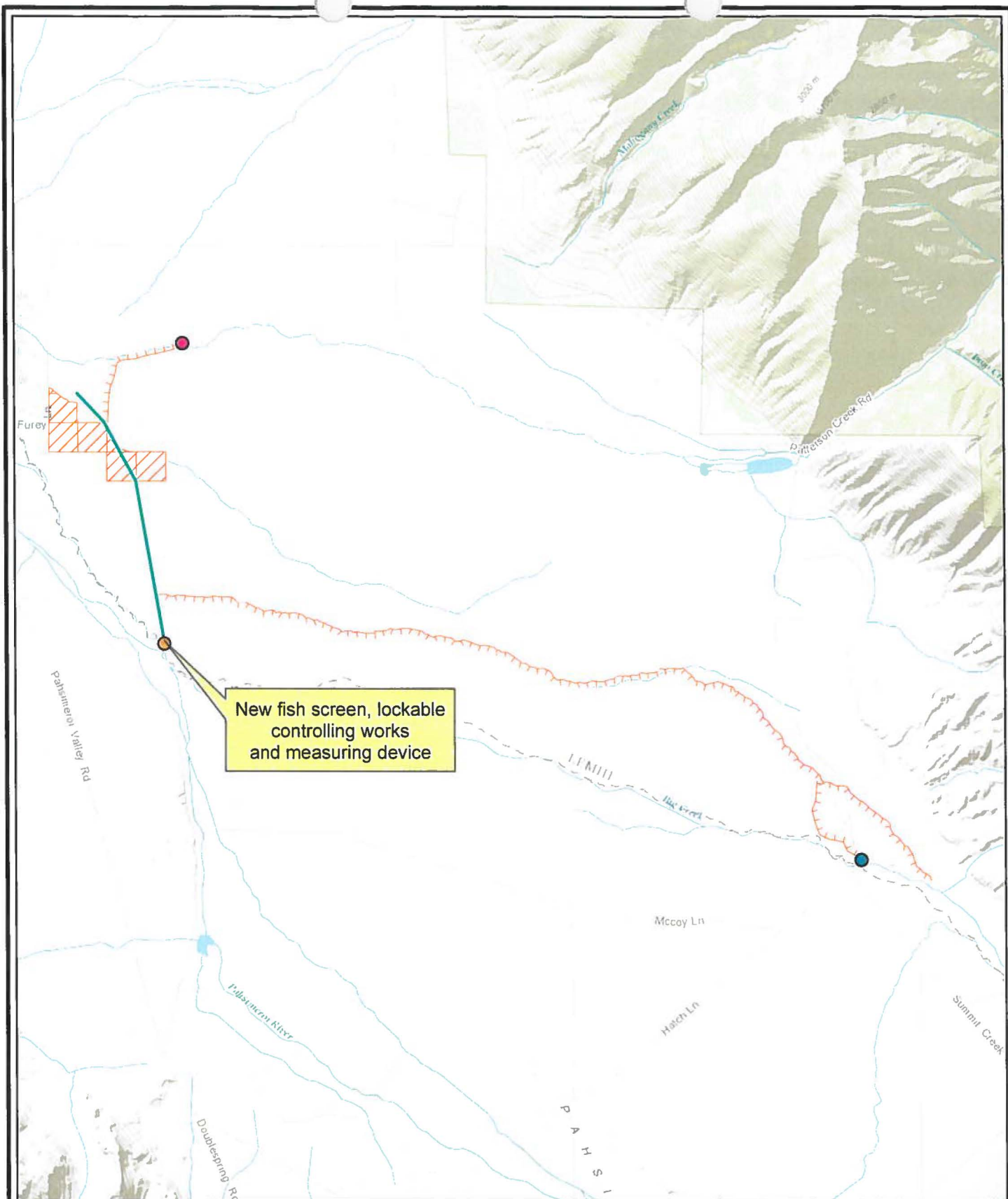
Transfer contains _____ pages and _____ attachments.

Received by J. Stronce Date 1-27-2015 Preliminary check by _____ Date _____

Free paid \$900.00 Date 1-27-2015 Received by J. Strange Receipt # C099859

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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



EXPLANATION

- | | |
|-----------------------------|-----------------------|
| Existing Point of Diversion | Existing Ditch |
| ● 73-33 | Proposed Pipeline |
| ● 73-2151 | Proposed Place of Use |
| ● 73-10100 | |

Attachment 7a - Distribution System



1

Miles



PARENT RIGHTS			BEFORE			AFTER (Pivots)			AFTER (Gravity)		
Water Right No.	Priority Date	Source	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)	Diversion Rate (cfs)	Place of Use (acres)	Combined POU (acres)
73-33	8/16/1910	Big Creek	2.40	120.0	414.0	0.00	0.0	213.4	2.40	120.0	200.6
73-152A	5/1/1886	Pahsimeroi River	3.20	160.0		3.20	160.0		0.00	0.0	
73-153A	5/1/1888	Big Creek							0.00	0.0	
73-2151	6/23/1959	Patterson Creek	2.00	95.0		0.00	0.0		2.00	95.0	
73-10100	2/18/1926	Pahsimeroi River	3.20	414.0		1.65	213.4		1.55	200.6	
TOTAL			10.80	789.0	414.0	4.85	373.40	213.4	5.95	415.6	200.6

TOTAL AFTER	Rate	Acres	Combined
	10.80	789.0	414.0



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 16, 2015

TED O NEAL
WATER DISTRICT NO. 73
81 FUREY LN
MAY ID 83253

RE: Applications for Transfer Nos. 79791 & 79792

Dear Watermaster:

Copies of the above referenced applications are enclosed. Please review the applications, then complete the enclosed recommendation form and return it to this office within 15 days of the date of this letter.

If the applications are 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 these applications should be specifically addressed in your recommendation.

This office will not be publishing these transfer applications since the applicants are asking to reconfigure the place of use within a permissible place of use. The water rights are not being transferred from the property. However, your prompt response to this request is appreciated. If your agency has any comments or concerns, please respond within 15 days of the date of this letter. If no response is received, we will assume there aren't any concerns and the Department will continue processing these applications.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure(s)



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 16, 2015

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS, ID 83402

RE: Transfer No. 79791 & 79792
Water Right Nos. 73-33, 73-2151, 73-152A, 73-153A and 73-10100

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfers. I have enclosed copies of the applications for your reference.

This office will not be publishing these transfer applications since the applicants are asking to reconfigure the place of use within a permissible place of use. The water rights are not being transferred from the property. However, your prompt response to this request is appreciated. If your agency has any comments or concerns, please respond within 15 days of the date of this letter. If no response is received, we will assume there aren't any concerns and the Department will continue processing these applications.

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

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

March 16, 2015

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Transfer No. 79791 & 79792
Water Right Nos. 73-33, 73-2151, 73-152A, 73-153A and 73-10100

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced transfer applications. Copies of the applications are enclosed for your reference.

This office will not be publishing these transfer applications since the applicants are asking to reconfigure the place of use within a permissible place of use. The water rights are not being transferred from the property. However, your prompt response to this request is appreciated. If your agency has any comments or concerns, please respond within 15 days of the date of this letter. If no response is received, we will assume there aren't any concerns and the Department will continue processing these applications.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office

Skaggs, Pam

From: Roxanne Brown <RBrown@spfwater.com>
Sent: Friday, March 13, 2015 10:07 AM
To: Skaggs, Pam
Subject: RE: Transfer Applications 79791 & 79792 - Big Creek Ranch LLC
Attachments: Watson Gravity POU.dbf; Watson Gravity POU.prj; Watson Gravity POU.sbn; Watson Gravity POU.sbx; Watson Gravity POU.shp; Watson Gravity POU.shp.xml; Watson Gravity POU.shx; Watson Pivot POU.dbf; Watson Pivot POU.prj; Watson Pivot POU.sbn; Watson Pivot POU.sbx; Watson Pivot POU.shp; Watson Pivot POU.shp.xml; Watson Pivot POU.shx

Pam – Shapefiles attached. Please let me know if you need anything else.

Roxanne

From: Skaggs, Pam [mailto:Pam.Skaggs@idwr.idaho.gov]
Sent: Friday, March 13, 2015 9:23 AM
To: Roxanne Brown
Subject: Transfer Applications 79791 & 79792 - Big Creek Ranch LLC

Hi Roxanne,

I reviewed these transfer applications and am sending out comment letters next week. The applications do not require advertising, so once comments are received and addressed we will be able complete processing.

Please send me the place of use shapes for each transfer as represented in the application maps. This is the last item I need to complete database/GIS work on these transfer applications.

Let me know if you have any questions.

Thanks,
Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700

MEMORANDUM

Date: March 13, 2015
To: Transfer 79791
From: Pam Skaggs
Re: Legal Notice Not Required

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

MEMORANDUM

Date: March 2, 2015
To: Transfers 79791 & 79792
From: Pam Skaggs
Re: Evaluation of Sufficiency of Information Submitted

This pair of transfers proposes to split an existing 414 acre gravity fed surface water system into two separate irrigation systems serving much the same acres. Transfer 79792 will cover pivot acres that are not currently fully covered with the more senior rights. All the rights are owned by Big Creek Ranch LLC and will continue to irrigate land owned by the applicant. The transfers do not propose to change any points of diversion.

- Rights 73-33 (Big Creek 1910), 73-2151 (Patterson Creek 1959) and a portion of Right 73-10100 (Pahsimeroi River 1926) will serve a 200.6 acre irrigated parcel under Transfer 79791.
- Rights 73-152A (Pahsimeroi River 1886), 73-153A (Big Creek 1888) and the balance of Right 73-10100 (Pahsimeroi River 1926) will serve a 213.4 acre irrigated parcel under Transfer 79792.

• **Authority to File:**

Applicant is listed as current owner of rights on IDWR records. The applications were signed by Michael Page, Manager as confirmed by IDSOS 2014 Annual Report from Big Creek Ranch LLC.

• **Water Right Validity:**

All the rights were decreed in the Snake River Basin Adjudication in 2010 and some irrigation can be seen on recent aerial photos. No forfeiture concerns at this time.

• **Injury to Other Water Rights:**

None anticipated. Rights to be used in same general area as currently authorized and no points of diversion are proposed changed.

• **Enlargement of Use:**

Combined rights review of existing and proposed use found no apparent concerns. See attached spreadsheet. Rights 73-33 and 73-215 combined use is reduced 14.4 acres in Transfer 79791. Transfer 79792 maintains the combined use limit of Rights 73-152A and 73-153A for use on the existing pivot system. High water Right 73-10100 is split between the transfers covering the 414 acres originally authorized. Because of the concentration of water on fewer acres under Rights 73-33 and 73-215 in Transfer 79791, 53.4 acres instead of the original 39 acres are covered solely by Right 73-10100 in Transfer 79792.

• **Local Public Interest:**

No negative impacts anticipated.

• **Beneficial Use/Conservation of Water Resources:**

Proposed use of water is recognized as beneficial use of water.

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.

BIG CREEK RANCH LLC

Rights & combined limits before any changes.

Basin	Sequence	Suffix	Status	Priority Date	Source List	Water Use	Rate	Acre Limit	Total Acres	Volume	Water District	Notes
73	33		Active	8/16/1910	BIG CREEK	IRRIGATION	2.40	120.0	414.0		73 - Pahsimeroi River	
73	2151		Active	6/23/1959	PATTERSON CREEK	IRRIGATION	2.00	95.0	414.0		73 - Pahsimeroi River	
73	152 A		Active	5/1/1886	PAHSIMEROI RIVER	IRRIGATION	3.20	160.0	414.0		73 - Pahsimeroi River	Same 160 acres alternate source
73	153 A		Active	5/1/1888	BIG CREEK	IRRIGATION	1.54	160.0	414.0		73 - Pahsimeroi River	73-153A only delivered when insufficient water to deliver 73-152A.
							3.20	160.0				
73	10100		Active	2/18/1926	PAHSIMEROI RIVER	IRRIGATION	3.20		414.0	All acres	73 - Pahsimeroi River	High water right with junior priority to supplement other senior rights
							0.024 cfs/acre	10.08	414.0	414.0		

Rights proposed under Transfer 79791

Basin	Sequence	Suffix	Status	Priority Date	Source List	Water Use	Rate	Acre Limit	Total Acres	Volume	Water District	Notes
73	33		Active	8/16/1910	BIG CREEK	IRRIGATION	2.40	120.0	200.6		73 - Pahsimeroi River	The original 215 acres under these two rights are concentrated on 200.6 acres or 14.4 less acres under primary rights.
73	2151		Active	6/23/1959	PATTERSON CREEK	IRRIGATION	2.00	95.0	200.6		73 - Pahsimeroi River	
73	10100 Part		Active	2/18/1926	PAHSIMEROI RIVER	IRRIGATION	1.55		200.6	All acres	73 - Pahsimeroi River	Proportional split of high-water right
							0.0296 cfs/acre	5.95	200.6	200.6		

Rights proposed under Transfer 79792

Basin	Sequence	Suffix	Status	Priority Date	Source List	Water Use	Rate	Acre Limit	Total Acres	Volume	Water District	Notes
73	152 A		Active	5/1/1886	PAHSIMEROI RIVER	IRRIGATION	3.20	160.0	213.4		73 - Pahsimeroi River	160.0 acres of 213.4 acres
73	153 A		Active	5/1/1888	BIG CREEK	IRRIGATION	1.54	160.0	213.4		73 - Pahsimeroi River	53.4 acres covered solely by high-water right
							3.20	160.0				
73	10100 Part		Active	2/18/1926	PAHSIMEROI RIVER	IRRIGATION	1.65		213.4	All acres	73 - Pahsimeroi River	53.4 - 14.4 = 39 acres
							0.0227 cfs/acre	4.85	213.4	213.4		
							Both Transfers	10.08	414.0	414.0		

No. W 83995	Due no later than May 31, 2014 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		MICHAEL E PAGE 318 BROADWAY KETCHUM ID 83340														
	BIG CREEK RANCH, LLC MICHAEL E PAGE PO BOX 5987 KETCHUM ID 83340-5987		3. <u>New</u> Registered Agent Signature:*														
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</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</td> <td>MICHAEL E PAGE</td> <td>280 CRANBROOK DRIVE</td> <td>HAILEY</td> <td>ID</td> <td>USA</td> <td>83333</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MANAGER	MICHAEL E PAGE	280 CRANBROOK DRIVE	HAILEY	ID	USA	83333
Office Held	Name	Street or PO Address	City	State	Country	Postal Code											
MANAGER	MICHAEL E PAGE	280 CRANBROOK DRIVE	HAILEY	ID	USA	83333											
5. Organized Under the Laws of: ID W 83995	6. Annual Report must be signed.* <table border="1"> <tr> <td>Signature: Michael Page</td> <td>Date: 05/30/2014</td> </tr> <tr> <td>Name (type or print): Michael Page</td> <td>Title: Manager</td> </tr> </table>			Signature: Michael Page	Date: 05/30/2014	Name (type or print): Michael Page	Title: Manager										
Signature: Michael Page	Date: 05/30/2014																
Name (type or print): Michael Page	Title: Manager																
Processed 05/30/2014	* Electronically provided signatures are accepted as original signatures.																



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 28, 2015

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

Re: Application for Transfer No.: 79791
Water Right No(s): 73-33, 73-2151 and 73-10100 and

Application for Transfer No.: 79792
Water Right No(s): 73-152A, 73-153A and 73-10100

Dear Applicant(s):

The Department of Water Resources received your Applications for Transfer on January 27, 2015. During the initial review, it was determined additional fees will be need to complete this request.

The first transfer (79791) request was for a total of 5.95 cfs for which the fee is \$900.00. The second transfer (79792) request is for a total of 4.85 cfs. The fee for this amount would be \$820.00. We received a check from you for \$1,3000.00. The Department will require additional fees of **\$420.00**.

The Department cannot process these applications without the additional fees. Please send the fees within 30 days or we will return your applications unprocessed.

If you have any questions, please contact Pam Skaggs at (208) 287-4951. Thank you.

Sincerely,

Jean Hersley
Technical Records Specialist

Enclosure

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



SPF WATER
ENGINEERING

January 26, 2015

James Cefalo
IDWR Eastern Region Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402

RECEIVED

JAN 27 2015
DEPARTMENT OF
WATER RESOURCES

Subject: Applications for Transfer (2) – Big Creek Ranch, LLC
SPF Project No.: 836.0130

Dear James,

Enclosed is a pair of companion water right transfer applications for a property owned by Big Creek Ranch LLC in the Pahsimeroi Valley. Partial decrees for the subject water rights were issued with a permissible place of use.

The place of use will change with the installation of separate irrigation systems, as shown on the applications. When taken together, the applications do not propose enlargement of the individual water rights. Points of diversion will remain the same.

We have enclosed a check for \$1,300.00 for the applications fees. Thank you very much for your consideration and assistance in this matter. Please contact me if you have any questions. We can provide GPS data for the place of use via email upon request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roxanne".

Roxanne Brown
Sr. Water Rights Specialist

Cc: Big Creek Ranch, LLC
Enclosures