

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79711

This is to certify that: DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH, CA 92658

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>
37-11329	WR/DECREED	7/21/1956	2.480 cfs	500.5 af	143.0	235.1	GROUND WATER
37-466	WR/DECREED	4/1/1880	9.770 cfs	N/A	489.0	672.4	DEER CREEK, GROUND WATER

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>
37-11329	NO	NO	YES	YES	NO	NO
37-466	NO	NO	YES	NO	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>
37-11329	37-11329	2.480 cfs	500.5 af	143.0	714.9	N/A	N/A	N/A	N/A	N/A
37-466	37-466	9.770 cfs	N/A	489.0	714.9	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.780 cfs	N/A	489.0	714.9		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 27th day of February, 2015


Southern Region Manager

SUPPORT DATA

IN FILE # 37-466

Transfer No. 79711

WATER RIGHT NO. 37-11329
As Modified by Transfer No. 79711

In accordance with the approval of Transfer No. 79711, Water Right No. 37-11329 is now described as follows:

Right Holder: DEER CREEK RANCH INC
 ATTN JOHN FLYNN
 PO BOX 3090
 NEWPORT BEACH, CA 92658

Priority Date: 7/21/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	2.480 cfs 2.480 cfs	500.5 af 500.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENESE	Sec 26 Twp 03N Rge 17E BLAINE County
GROUND WATER	NESESE	Sec 30 Twp 03N Rge 18E BLAINE County
GROUND WATER	SESESE	Sec 30 Twp 03N Rge 18E BLAINE County

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	
03N	17E	25			23.7	23.5			12.1	20.4	27.4	31.2			36.5	33.9			208.7
03N	17E	26				2.1					11.7		35.2	24.6	37.2	24.0	11.4		146.2
03N	18E	29										24.7	15.8						40.5
03N	18E	30			5.2	8.5			14.6	6.7	39.0	43.1	1.2	26.4	38.2	38.5	31.5	37.5	290.4
									L 2			L 3	L 4						
03N	18E	31	2.6				4.8												7.4
03N	18E	32						17.0	4.7										21.7

Right Acre Limit: 143.0

POU Total Acres: 714.9

CONDITIONS OF APPROVAL

1. The right holder shall make full beneficial use of right 37-466 prior to diversion and use under this right. The right holder shall limit the diversion of ground water under this right to those times when right 37-466 is not available or is not reasonably sufficient to irrigate the place of use authorized under this right.
2. If right 37-466 appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Transfer No. 79711

WATER RIGHT NO. 37-11329
As Modified by Transfer No. 79711

CONDITIONS OF APPROVAL

3. This right is limited to the irrigation of 143 acres within the authorized place of use in a single irrigation season.
4. Rights 37-466 and 37-11329 when combined shall not exceed a total diversion rate of 9.78 cfs, and the irrigation of 489 acres.
5. Rights 37-466 and 37-11329 are limited to the irrigation of a specific 489 acres within the 714.9 acre place of use authorized by the rights in a single irrigation season. The specific 489 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 489 acres to be irrigated within the 714.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the department prior to the irrigation season in which the change will occur.
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.
7. 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.37.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-466**As Modified by Transfer No. 79711**

In accordance with the approval of Transfer No. 79711, Water Right No. 37-466 is now described as follows:

Right Holder: DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH, CA 92658

Priority Date: 4/1/1880

Source: GROUND WATER
Source: DEER CREEK

Tributary: DEER CREEK
Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	9.770 cfs 9.770 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENESE	Sec 26 Twp 03N Rge 17E	BLAINE County
DEER CREEK	NESESE	Sec 30 Twp 03N Rge 18E	BLAINE County
GROUND WATER	NESESE	Sec 30 Twp 03N Rge 18E	BLAINE County
GROUND WATER	SESESE	Sec 30 Twp 03N Rge 18E	BLAINE County
GROUND WATER	NWNESW	Sec 30 Twp 03N Rge 18E	BLAINE County
GROUND WATER	SESESW	Sec 30 Twp 03N Rge 18E	BLAINE County

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	
03N	17E	25			23.7	23.5			12.1	20.4	27.4	31.2			36.5	33.9			208.7
03N	17E	26				2.1					11.7		35.2	24.6	37.2	24.0	11.4		146.2
03N	18E	29										24.7	15.8						40.5
03N	18E	30			5.2	8.5			14.6	6.7	39.0	43.1	1.2	26.4	38.2	38.5	31.5	37.5	290.4
									L 2			L 3	L 4						
03N	18E	31	2.6				4.8												7.4
03N	18E	32						17.0	4.7										21.7

Right Acre Limit: 489.0

POU Total Acres: 714.9

CONDITIONS OF APPROVAL

1. Diversion of groundwater is limited to those times water is available for diversion under this right and priority from Deer Creek.

WATER RIGHT NO. 37-466
As Modified by Transfer No. 79711

CONDITIONS OF APPROVAL

2. Rights 37-466 and 37-11329 are limited to the irrigation of a specific 489 acres within the 714.9 acre place of use authorized by this right in a single irrigation season. The specific 489 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 489 acres to be irrigated within the 714.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the department prior to the irrigation season in which the change will occur.
3. A measuring device or stream gage of a type acceptable to the department and watermaster shall be permanently installed and maintained in Deer Creek within the SESW, S26, T3N, R17E.
4. The diversion of up to 9.77 cfs of ground water shall be contingent upon an equivalent amount of water being measured at a point in Deer Creek within the SESW, S26, T3N, R17E.
5. If flows less than 9.77 cfs are measured in Deer Creek, the ground water diversions shall be reduced accordingly. Such pumping reductions must be made within 24 hours of the measurement showing reduced flows.
6. Any subsequent transfer of the point of diversion described under this right will require the right holder to provide evidence that the new point of diversion has a direct and immediate hydraulic connection to Deer Creek.
7. 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 both ground water and surface water diversions.
8. Rights 37-466 and 37-11329 when combined shall not exceed a total diversion rate of 9.78 cfs and the irrigation of 489 acres.
9. 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. 37.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

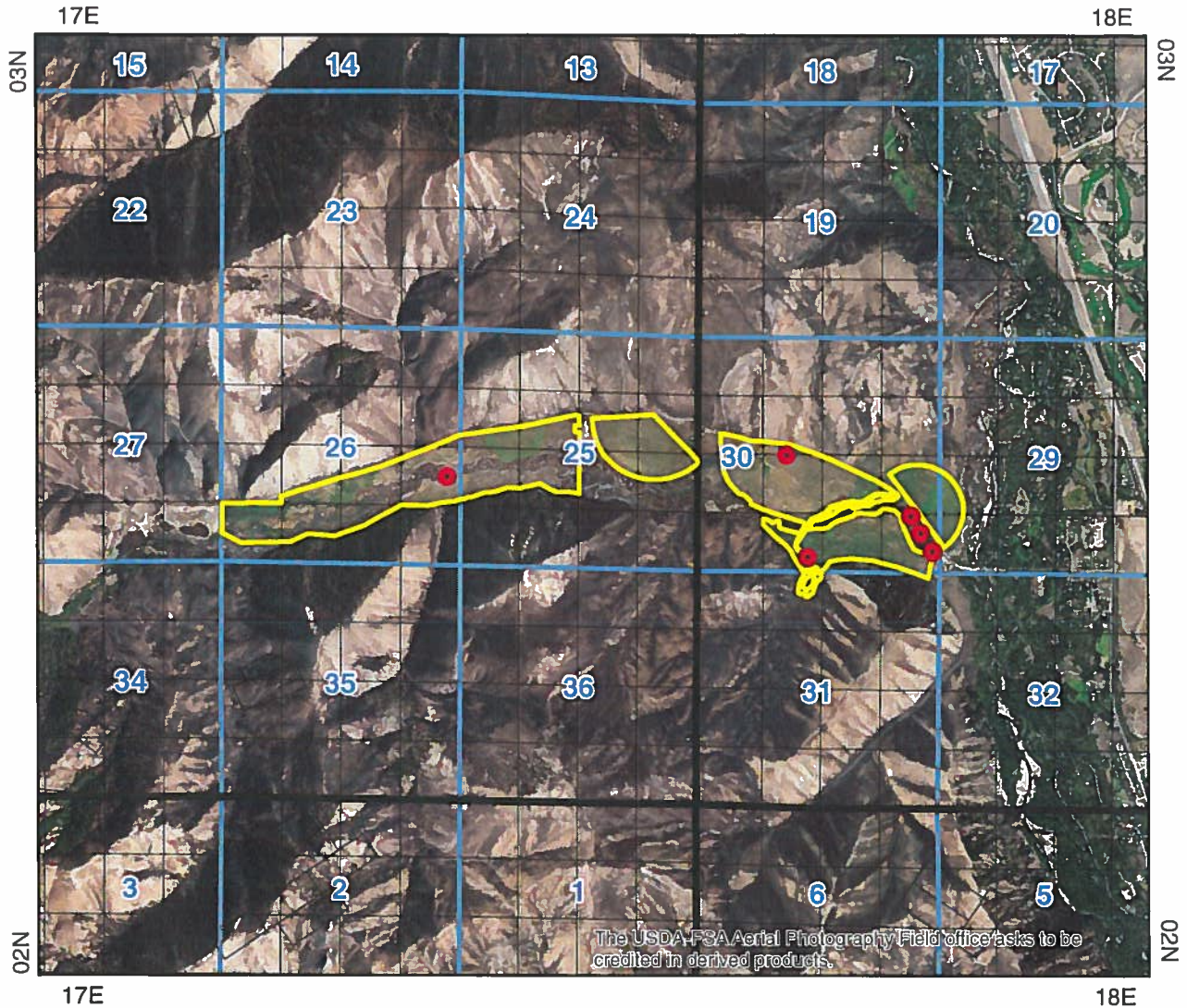
State of Idaho
Department of Water Resources

Attachment To Transfer No. 79711

Right: 37-466

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.

NOTE this map is for total allowable 489 acres and includes the 182.7 acres currently leased to Water Supply Bank and should not be irrigated.



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

0 0.5 1 2 Miles



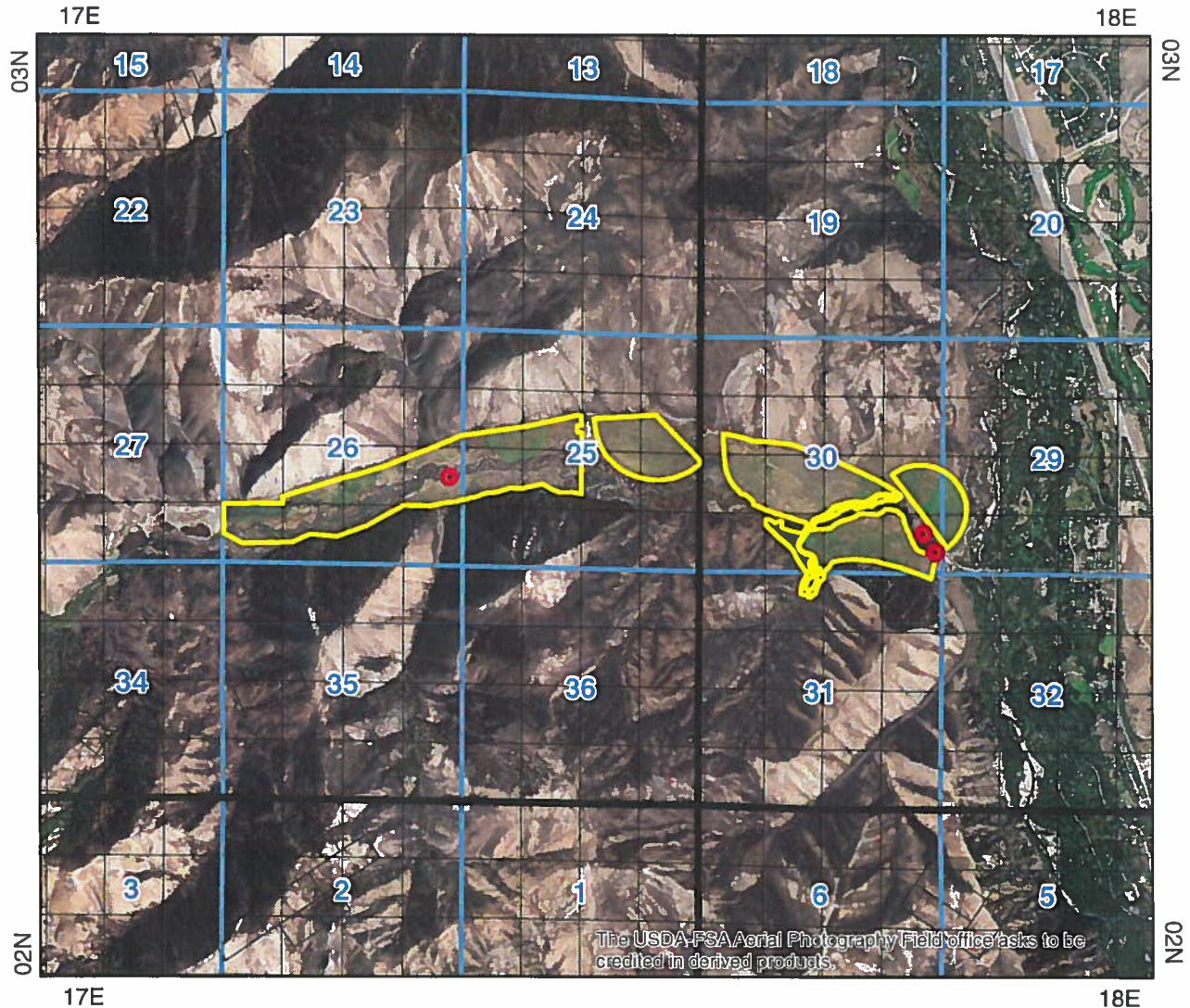
State of Idaho
Department of Water Resources

Attachment To Transfer No. 79711

Right: 37-11329

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.

NOTE this map is for total allowable 489 acres and includes the 182.7 acres currently leased to Water Supply Bank and should not be irrigated.



- Point of Diversion
- Place Of Use Boundary
- Townships
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