

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.

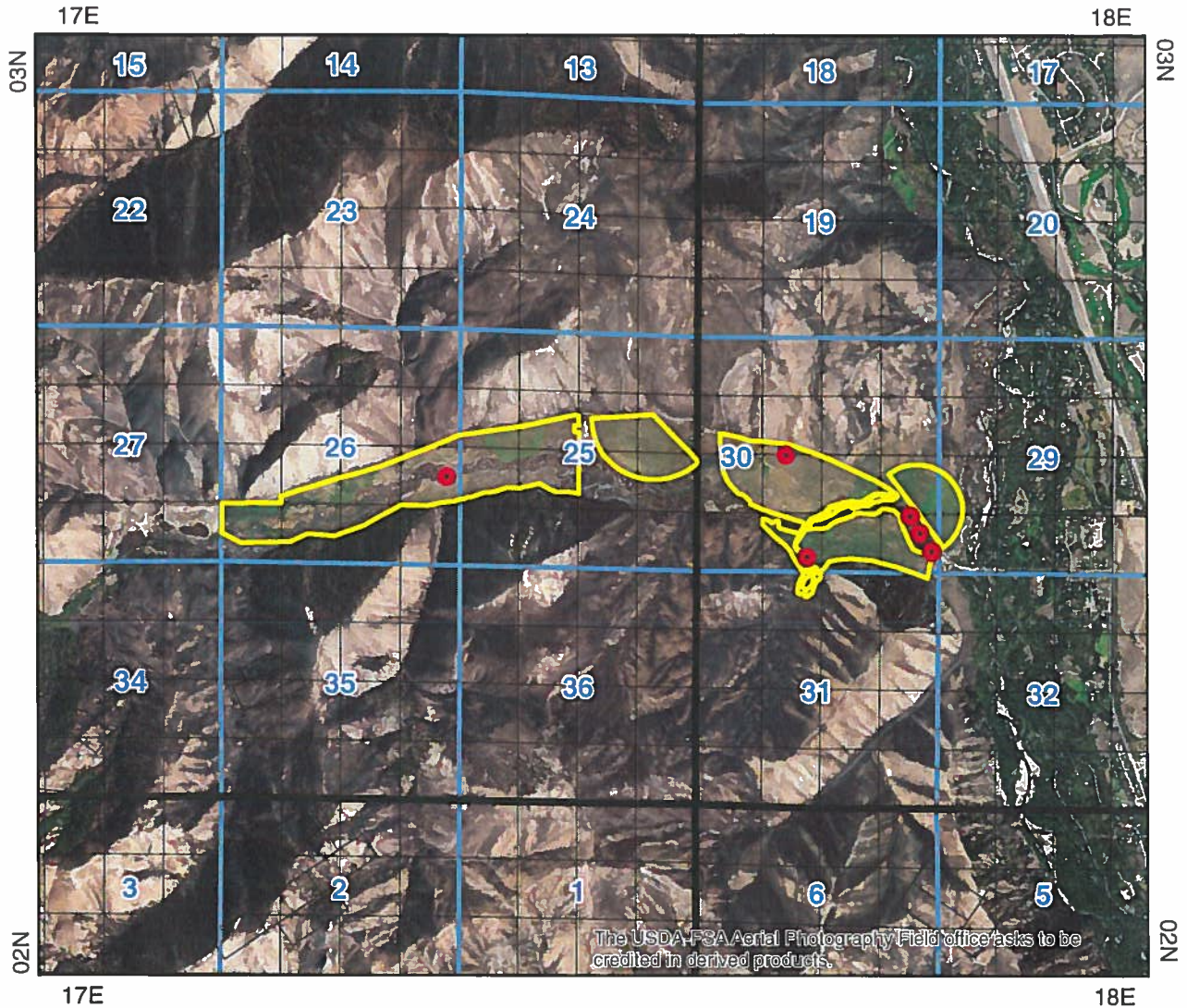
State of Idaho
Department of Water Resources

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



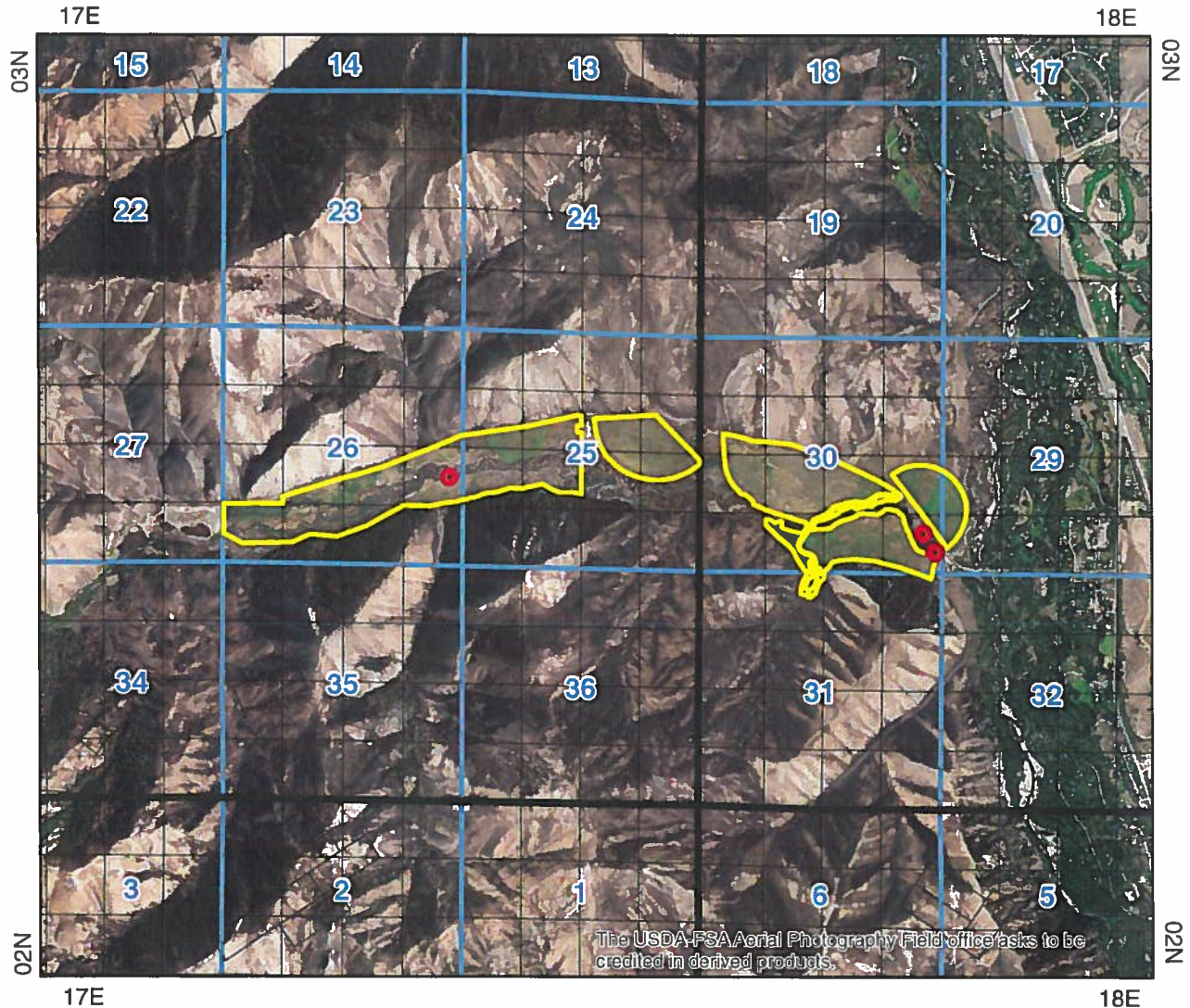
State of Idaho
Department of Water Resources

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
- PLS Sections
- Quarter Quarters

0 0.5 1 2 Miles





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

March 2, 2015

DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658

Re: Transfer No: 79711
Water Right No(s): 37-466, 37-11329

Re: Transfer No: 79712
Water Right No(s): 37-11325

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) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large initial "A" and a prominent "M".

Allen Merritt
Southern Regional Manager

Enclosure

cc:

BARKER ROSHOLT & SIMPSON LLP
PAUL L ARRINGTON
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No.: 79711
Water Right No(s): 37-466, 37-11329**

**Re: Transfer No: 79712
Water Right No(s): 37-11325**

**DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658**

**BARKER ROSHOLT & SIMPSON LLP
PAUL L ARRINGTON
195 RIVER VISTA PL STE 204
TWIN FALLS ID 83301-3029**

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
Administrative Assistant**

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.



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

March 2, 2015

KEVIN LAKEY WATERMASTER
WATER DISTRICT # 37
107 W 1ST ST
SHOSHONE, ID 83352

Via e-mail

Re: APPROVED Transfer No. 79711 (Deer Creek Ranch Inc.)

Dear Mr. Lakey:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

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

Denise Maline
Administrative Assistant

Enclosure

Mills, William

From: Merritt, Allen
Sent: Thursday, February 26, 2015 2:19 PM
To: Mills, William
Subject: FW: Deer Creek Ranch Map (brown is what's in the bank)

From: Palmer, Cherie
Sent: Thursday, February 26, 2015 2:03 PM
To: Merritt, Allen
Cc: Skaggs, Pam
Subject: Deer Creek Ranch Map (brown is what's in the bank)

MEMORANDUM

Feb. 25
Date: ~~January 20~~, 2015
To: Transfer 79711 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer seeks to add two wells currently authorized to divert ground water under water right 37-466 (9.77 cfs) to right 37-11329 (2.48 cfs) and create a 714.9 permissible place of use (PPU) for both rights. Water right 37-466 diverts both surface and ground water (9.77 cfs) for the irrigation of 489.0 acres within a 672.4 acre PPU. Water right 37-11329 diverts 2.48 cfs of ground water for the irrigation of 143.0 acres within a 235.1 acre PPU. When combined both rights are limited to a diversion rate of 9.78 cfs. Place of use and points of diversion are located approximately 3.9 to 5.1 miles north and 2.3 to 7.4 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

The provided "206 map" only identifies 306.3 acres to be irrigated, while the combined rights authorize the irrigation of 489 acres. The ranch owner submitted lease applications to the Water Supply Bank for the remaining 182.7 acres not in use (0.92 cfs of 37-11329 and 3.65 cfs of 37-466) along with this application for transfer.

Overlap analysis indicates potential overlap with Big Wood River irrigation rights 37-5 and 37-833R both owned by Deer Creek Ranch Inc. Due to natural changes in the Big Wood River Channel, both of these rights are currently undeliverable and are leased to the Water Supply Bank (current leases expires 12/31/2015).

Proposed POU and PODs are within Water District 37 and watermaster comments will be solicited.

- **Authority to File:** Applicants are listed as the current owners of water rights 37-466 and 37-11329 and own all lands involved in this transfer per IDWR records.
- **Water Right Validity:** Water rights 37-466 and 37-11329 were decreed in the SRBA on 5/13/2009. Recent aerial and satellite imagery indicate the property involved with this transfer appears irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing

RECEIVED 2015

AFFIDAVIT of PUBLICATION

FEB 13 2015

COPY OF NOTICE

State of Idaho
County of BlaineDEPT OF WATER RESOURCES
SOUTHERN REGION

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 4 day of

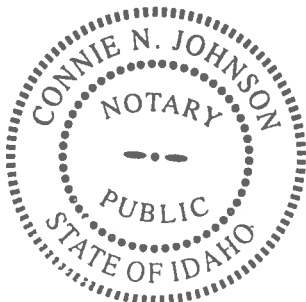
Feb., 20 15, and the date of the last publication was

on the 11 day of Feb., 20 15

Pam Morris

Subscribed and sworn to before me this 11 day of

Feb., 20 15.



Connie N. Johnson
NOTARY PUBLIC

RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS

P.O. Box 1013

Ketchum, Idaho 83340

COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 71

Number of Insertions 2

Lines tabular at _____ 9.0 cents/pica

71 Lines straight at 65.32 8.0 cents/pica

71 Subsequent lines at 57.16 7.0 cents/pica

TOTAL COST \$ 122.48

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR
BILL TO

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79711

✓ DEER CREEK RANCH INC, ATTN JOHN FLYNN, PO BOX 3090, NEWPORT BEACH, CA 92658; has filed Application No. 79711 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11329, 37-466. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer seeks to add two wells currently authorized to divert ground water under water right 37-466 (9.77 cfs) to right 37-11329 (2.48 cfs) and create a 714.9 permissible place of use (PPU) for both rights. When combined both rights are limited to a diversion rate of 9.78 cfs. Place of use and points of diversion are located approximately 3.9 to 5.1 miles north and 2.3 to 7.4 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

→
over

✓ OK DM
2/17/2015

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79712**

✓
DEER CREEK RANCH INC, ATTN
JOHN FLYNN, PO BOX 3090,
NEWPORT BEACH, CA 92658; has
filed Application No. 79712 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11325. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer seeks to update an existing domestic and stockwater water right (0.06 cfs) to reflect the current point of diversion (POD) and domestic place of use (POU). Proposed POU and POD are located approximately 4.3 miles north and 3.3 miles west of the intersection of Bullion St and Hwy 75 in Hailey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 23, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH
IDAHO MOUNTAIN EXPRESS
Feb. 4 & 11, 2015**

✓ OK DM 2/17/2015

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED

FEB 02 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 79711

Water Right No(s): 37-466, 37-11329

Transfer Applicant's Name: DEER CREEK RANCH INC
JOHN FLYNN
PO BOX 3090
NEWPORT BEACH, CA 92658

Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this 2nd day of February, 2015

Water District No. 37

Kevin Lakey
Watermaster's Signature

Kevin Lakey
Printed Name